

# UNITED STATES STATUTES AT LARGE

CONTAINING THE

LAWS AND CONCURRENT RESOLUTIONS  
ENACTED DURING THE FIRST SESSION OF THE  
SEVENTY-SIXTH CONGRESS  
OF THE UNITED STATES OF AMERICA

1939

AND

TREATIES, INTERNATIONAL AGREEMENTS OTHER  
THAN TREATIES, PROCLAMATIONS, AND  
REORGANIZATION PLANS

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PUBLIC LAWS  
AND  
REORGANIZATION PLANS



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## NOTICE

The original of every act and joint resolution printed in this volume has the following heading:

SEVENTY-SIXTH CONGRESS OF THE UNITED STATES OF AMERICA;

AT THE FIRST SESSION

Begun and held at the City of Washington on Tuesday, the third  
day of January, one thousand nine hundred and thirty-nine

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All bills and joint resolutions presented to the President of the United States bear the signatures of the Speaker (or of the Speaker *pro tempore*) of the House of Representatives and of the Vice President of the United States and President of the Senate (or of the President of the Senate *pro tempore*); those signatures accordingly appear on the originals of all acts and joint resolutions.

The signature of the President of the United States appears on the originals of all approved acts and joint resolutions.

The original of every act and joint resolution has endorsed thereon a certificate of origin, signed, as the case may be, by the Clerk of the House of Representatives or by the Secretary of the Senate and reading "I certify that this Act (or Joint Resolution) originated in the House of Representatives (or Senate)." The origin of each act and resolution contained in this volume is indicated in the margin at the beginning of each enactment; thus, for example, H. R. 2762 or H. J. Res. 83 indicates origin in the House of Representatives, and S. 1102 or S. J. Res. 38 indicates origin in the Senate.

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# PUBLIC LAWS

# PUBLIC LAWS

ENACTED DURING THE

FIRST SESSION OF THE SEVENTY-SIXTH CONGRESS

OF THE

UNITED STATES OF AMERICA

*Begun and held at the City of Washington on Tuesday, January 3, 1939, and adjourned without day on Saturday, August 5, 1939*

FRANKLIN D. ROOSEVELT, President; JOHN N. GARNER, Vice President; KEY PITTMAN, President of the Senate *pro tempore*; WILLIAM B. BANKHEAD, Speaker of the House of Representatives; SAM RAYBURN, Speaker of the House of Representatives *pro tempore*, July 1-11, 1939.

## [CHAPTER 1]

### JOINT RESOLUTION

Making an additional appropriation for work relief and relief for the fiscal year ending June 30, 1939.

February 4, 1939  
[H. J. Res. 83]  
[Pub. Res., No. 1]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That in order to continue to provide work relief on useful public projects, and relief, as authorized in the Emergency Relief Appropriation Act of 1938, and subject to all of the provisions of such Act, there is hereby appropriated to the Works Progress Administration, out of any money in the Treasury not otherwise appropriated, the sum of \$725,000,000, which amount shall be added to the \$1,425,000,000 appropriated to that Administration in section 1, subsection 1, of such Emergency Relief Appropriation Act of 1938 and shall proportionately increase the amounts specified in limitations (1), (2), and (3), of (d) of subsection (1) of section 1 of such Act: *Provided*, That the provisions of section 2 of such Act prescribing February 28, 1939, as the end of the period over which the funds appropriated to the Works Progress Administration shall be apportioned and distributed are hereby amended so as to prescribe June 30, 1939, as the end of such period: *Provided further*, That notwithstanding any other provision of law, the Works Progress Administrator is authorized, from time to time, out of the funds appropriated in this joint resolution, to use such amount or amounts not to exceed in the aggregate \$15,000,000 as may be determined by the Administrator to be necessary, for the purpose of providing direct relief for needy persons: *Provided further*, That notwithstanding any of the provisions of section 2 of the Emergency Relief Appropriation Act of 1938, the amount herein appropriated shall be so apportioned by the Works Progress Administration as to cover the entire period from the date of the approval of this Act until June 30, 1939: *Provided further*, That prior to April 1 there shall be no administrative reduction of more than 5 per centum in the number of employees upon Works Progress projects and that the funds available for the remainder of the fiscal year shall be appor-

Work relief and relief.  
Additional appropriation for fiscal year 1939.  
52 Stat. 809.  
15 U. S. C., Supp. IV, ch. 16 (note).  
*Post*, p. 578.

*Provisos.*  
Funds appropriated to Works Progress Administration, time extension for apportionment, etc.

Amount for providing direct relief for needy persons.

Period to be covered.

Restriction on administrative reduction prior to April 1, 1939.

Estimate for additional appropriation, requirements.

Elimination of employees not in actual need.

Limitation on allocations to other Federal agencies increased.  
52 Stat. 811.

Limitation on expenditures for other than labor costs.  
52 Stat. 815.  
Employees placed in competitive classified civil service by Executive Order No. 7916.

Eligibility of persons 65 years of age or over, etc.

Establishment of mills or factories in competition with existing industries, restriction.

52 Stat. 813.

Aliens, restriction on employment.

Provisos.  
Affidavit as to U. S. citizenship.

Preferences in employment.

Unlawful acts.  
Promise of benefit as a political reward.

Denial of benefits on account of race, political activity, etc.

tioned in the discretion of the Administrator: *Provided further*, That should there arise an emergency which in the opinion of the President would require the submission of an estimate for an additional appropriation, the President in submitting such estimate shall submit a statement as to the facts constituting such emergency: *Provided further*, That the Administrator shall immediately cause to be made an investigation of the rolls of relief employees on work projects and eliminate from such rolls those not in actual need: *Provided further*, That the limitation of \$60,000,000 in section 3 of such Act, on the amount that may be allocated to other Federal departments, establishments, and agencies is hereby increased to \$88,000,000: *Provided further*, That the words "and prior to February 28, 1939," are hereby deleted from section 23 of such Act: *Provided further*, That the provisions of Executive Order Numbered 7916, dated June 24, 1938, shall not apply to positions the compensation of which is payable from appropriations contained in the Emergency Relief Appropriation Act of 1938 or from the amount appropriated in this joint resolution, and such appropriations shall not be available for the compensation of the incumbent of any position placed in the competitive classified civil service of the United States after January 10, 1939: *Provided further*, That no requirement of eligibility for employment under such Emergency Relief Appropriation Act of 1938, as amended, shall be effective which prohibits the employment of persons 65 years of age or over or women with dependent children: *Provided further*, That no funds appropriated in the Emergency Relief Appropriation Act of 1938 or herein appropriated shall be used by any Federal agency, to establish mills or factories which would manufacture for sale articles or materials in competition with existing industries.

SEC. 2. Section 11 of the Emergency Relief Appropriation Act of 1938 is hereby amended to read as follows:

"SEC. 11. No alien shall be given employment or continued in employment on any project prosecuted under the appropriations contained in the Emergency Relief Appropriation Act of 1938 or this joint resolution: *Provided*, That no part of the money herein appropriated shall be available to pay any person thirty days after the approval of this joint resolution who does not make affidavit as to United States citizenship, such affidavit to be considered prima facie evidence of such citizenship: *Provided further*, That preference in employment on such projects shall be given in the following order: (1) Veterans of the World War and the Spanish-American War and veterans of any campaign or expedition in which the United States has been engaged (as determined on the basis of the laws administered by the Veterans' Administration) who are in need and are American citizens; (2) other American citizens, Indians and other persons owing allegiance to the United States who are in need."

SEC. 3. (a) It shall be unlawful for any person, directly or indirectly, to promise any employment, position, work, compensation, or other benefit, provided for or made possible by the Emergency Relief Appropriation Act of 1938 or this joint resolution, or any other Act of the Congress, to any person as consideration, favor, or reward for any political activity or for the support of or opposition to any candidate or any political party in any election.

(b) It shall be unlawful for any person to deprive, attempt to deprive, or threaten to deprive, by any means, any person of any employment, position, work, compensation, or other benefit, provided for or made possible by the Emergency Relief Appropriation Act of 1938 or this joint resolution, on account of race, creed, color, or any political activity, support of, or opposition to any candidate or any political party in any election.

(c) Any person who knowingly violates any provision of this section shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisonment for not more than one year, or both. The provisions of this section shall be in addition to, not in substitution for, any other sections of existing law, or of this joint resolution.

Penalty provision.

Provisions deemed supplementary to existing law.

Administrative officer using official authority in an election, etc.

SEC. 4. (a) It shall be unlawful for any person employed in any administrative or supervisory capacity by any agency of the Federal Government, whose compensation or any part thereof is paid from funds authorized or appropriated by the Emergency Relief Appropriation Act of 1938 or this joint resolution, to use his official authority or influence for the purpose of interfering with an election or affecting the results thereof. While such persons shall retain the right to vote as they please and to express privately their opinions on all political subjects, they shall take no active part in political management or in political campaigns.

Penalty provision.

(b) Any person violating the provisions of this section shall be immediately removed from the position or office held by him, and thereafter no part of the funds appropriated by the Emergency Relief Appropriation Act of 1938 or this joint resolution shall be used to pay the compensation of such person. The provisions of this section shall be in addition to, not in substitution for, any other sections of existing law, or of this joint resolution.

Provisions deemed supplementary to existing law.

SEC. 5. (a) It shall be unlawful for any person knowingly to solicit, or knowingly be in any manner concerned in soliciting, any assessment, subscription, or contribution for the campaign expenses of any individual or political party from any person entitled to or receiving compensation or employment provided for by the Emergency Relief Appropriation Act of 1938 or this joint resolution.

Solicitation for campaign expenses.

(b) Any person who knowingly violates any provision of this section shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both. The provisions of this section shall be in addition to, not in substitution for, any other sections of existing law, or of this joint resolution.

Penalty provision.

SEC. 6. Section 21 of the Emergency Relief Appropriation Act of 1938 is hereby amended by striking out the word "projects,".

52 Stat. 815. Reports to Congress.

SEC. 7. No person in need who refuses a bona fide offer of private employment under reasonable working conditions which pays the prevailing wage for such work in the community where he resides and who is capable of performing such work shall be employed or retained in employment on work projects under the funds appropriated in the Emergency Relief Appropriation Act of 1938 or this joint resolution for the period such private employment would be available: *Provided*, That any person who takes such private employment shall at the expiration thereof be entitled to immediate resumption of his previous employment status with the Works Progress Administration if he is still in need and if he has lost the private employment through no fault of his own.

Refusal of bona fide offer of private employment paying prevailing wage, etc.

*Proviso.* Status at expiration of private employment.

SEC. 8. None of the funds appropriated by the Emergency Relief Appropriation Act of 1938 or by this joint resolution shall be used for the manufacture, purchase, or construction of any naval vessel, any armament, munitions, or implement of war, for military or naval forces, and no funds herein appropriated or authorized shall be diverted or allocated to any other department or bureau for such purpose.

Use of designated funds for military or naval purposes forbidden.

Approved, February 4, 1939.

## [CHAPTER 2]

## AN ACT

February 10, 1939  
[H. R. 2762]  
[Public, No. 1]

To consolidate and codify the internal revenue laws of the United States.

[This act, known as the Internal Revenue Code, is printed with appendix and index as Part 1 of Volume 53 of the United States Statutes at Large.]

## [CHAPTER 3]

## JOINT RESOLUTION

February 10, 1939  
[S. J. Res. 38]  
[Pub. Res., No. 2]

Providing additional funds for the expenses of the special joint congressional committee investigating the Tennessee Valley Authority, and for other purposes.

Tennessee Valley  
Authority.  
Limit of expendi-  
tures by special joint  
congressional investi-  
gating committee in-  
creased.  
52 Stat. 154.  
Division of pay-  
ment of expenses.

Final report.  
Continuance of cler-  
ical help.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the limit of expenditures under the joint resolution entitled "Joint resolution creating a special joint congressional committee to make an investigation of the Tennessee Valley Authority", approved April 4, 1938, is hereby increased by the sum of \$25,000, such additional sum to be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives upon vouchers approved by the chairman of the special joint congressional committee created by such joint resolution. The final report of such committee shall be made on or before April 1, 1939, but the chairman of the committee is authorized to continue such clerical help as found necessary for the indexing, proofreading, filing, and distribution of the report.

Approved, February 10, 1939.

## [CHAPTER 4]

## AN ACT

March 4, 1939  
[S. 1102]  
[Public, No. 2]

To continue the functions of the Reconstruction Finance Corporation, and for other purposes.

Reconstruction Fi-  
nance Corporation.  
Continuance of func-  
tions.  
50 Stat. 5.  
15 U. S. C., Supp.  
IV, § 613c.  
Electric Home and  
Farm Authority, con-  
tinuance as a Federal  
agency.  
49 Stat. 1186; 50  
Stat. 5.  
Reconstruction Fi-  
nance Corporation,  
maturity of certain  
obligations.  
47 Stat. 9.  
15 U. S. C. § 609.  
Disaster Loan Cor-  
poration.  
Increase of capital  
stock.  
50 Stat. 19.  
15 U. S. C., Supp.  
IV, § 605 k-1.  
Lending authority  
extended.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That (a) section 1 of the Act approved January 26, 1937 (50 Stat. 5), is hereby amended by striking therefrom "June 30, 1939" and inserting in lieu thereof "June 30, 1941"; (b) section 1 of the Act approved March 31, 1936 (49 Stat. 1186), as amended, is hereby further amended by striking from the first sentence thereof "June 30, 1939" and inserting in lieu thereof "June 30, 1941"; (c) section 9 of the Reconstruction Finance Corporation Act (47 Stat. 9), as amended, is hereby further amended by inserting after the second sentence thereof the following sentence: "Such obligations may mature subsequent to the period of succession of the Corporation as provided by section 4 hereof."; and (d) the Act approved February 11, 1937 (50 Stat. 19), as amended, is amended by striking from the first sentence "\$20,000,000" and inserting in lieu thereof "\$40,000,000"; and by striking from the second paragraph "or 1938" and inserting in lieu thereof "1938, 1939, or 1940".

Approved, March 4, 1939.

## [CHAPTER 5]

## AN ACT

March 4, 1939  
[H. R. 4011]  
[Public, No. 3]

To continue the functions of the Commodity Credit Corporation and the Export-Import Bank of Washington, and for other purposes.

Commodity Credit  
Corporation.  
Continuance of func-  
tions.  
49 Stat. 4; 50 Stat. 5.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That (a) section 7 of the Act approved January 31, 1935 (49 Stat. 4), as amended, is hereby further amended by striking from the first sentence thereof

"June 30, 1939" and inserting in lieu thereof "June 30, 1941"; (b) section 9 of the Act approved January 31, 1935 (49 Stat. 4), as amended, is hereby further amended by striking from the first sentence thereof "June 30, 1939" and inserting in lieu thereof "June 30, 1941"; (c) section 9 of the Act approved January 31, 1935 (49 Stat. 4), as amended, is hereby further amended by inserting before the period at the end of the last sentence thereof a colon and the following: "*Provided further*, That the Export-Import Bank of Washington shall not have outstanding at any one time loans or other obligations to it in excess of \$100,000,000, the capital for which the Reconstruction Finance Corporation, when requested by the Secretary of the Treasury with the approval of the President, may continue to supply from time to time through loans or by subscription to preferred stock"; and (d) section 4 of the Act approved March 8, 1938 (52 Stat. 108), is hereby amended by striking from the first sentence thereof "\$500,000,000" and inserting in lieu thereof "\$900,000,000".

Approved, March 4, 1939.

Export-Import  
Bank of Washington.  
Continuance of func-  
tions.  
49 Stat. 4; 50 Stat. 5.

Authorized amount  
of outstanding loans,  
etc.

Commodity Credit  
Corporation.  
Obligations, aggre-  
gate amount.  
52 Stat. 108.

[CHAPTER 6]

JOINT RESOLUTION

Making additional funds available for salaries and expenses, Federal Housing Administration.

March 4, 1939  
[H. J. Res. 185]  
[Pub. Res., No. 3]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That in addition to the funds made available to the Federal Housing Administration for administrative expenses by the Independent Offices Appropriation Act, 1939, not to exceed \$1,375,000 of the mutual mortgage insurance fund and not to exceed \$1,125,000 of the funds advanced to the Administration by the Reconstruction Finance Corporation are hereby made available for administrative expenses of the Administration for the fiscal year 1939, including the same objects specified in the provision for such expenses of such Administration in such Act: *Provided*, That such additional funds shall be available for administrative expenses of the Administration for the fiscal year 1939 heretofore or hereafter incurred and otherwise properly chargeable thereto.

Federal Housing  
Administration.  
Certain additional  
funds made available  
for salaries and ex-  
penses, fiscal year 1939.  
52 Stat. 433.  
*Post*, p. 628.

*Proviso.*  
Use of funds.

Approved, March 4, 1939.

[CHAPTER 7]

AN ACT

To authorize the Commissioners of the District of Columbia to regulate the hours during which streets, alleys, and so forth, shall be lighted.

March 6, 1939  
[S. 1294]  
[Public, No. 4]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Commissioners of the District of Columbia, subject to appropriations therefor, are hereby authorized and empowered to require that all public and other lamps under their control be lighted during such hours as in their judgment will most effectively promote the safety and convenience of the public.

Approved, March 6, 1939.

District of Colum-  
bia.  
Hours of street, etc.,  
lighting, regulation by  
Commissioners.



## [CHAPTER 8]

## AN ACT

March 7, 1939  
[S. 494]

[Public, No. 5]

To name the bridge to be erected over the Anacostia River in the District of Columbia after the late "March King", John Philip Sousa, composer of the "Stars and Stripes Forever".

John Philip Sousa  
Bridge.  
Bridge authorized  
over Anacostia River,  
D. C., to be so desig-  
nated.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the bridge authorized to be erected over the Anacostia River, in the District of Columbia, in the line of Pennsylvania Avenue be hereafter known as the John Philip Sousa Bridge.

Approved, March 7, 1939.

## [CHAPTER 9]

## AN ACT

March 13, 1939

[S. 660]

[Public, No. 6]

To amend the Agricultural Adjustment Act of 1938, as amended, to provide for the reapportionment of cotton acreage allotments not planted by farmers entitled thereto.

Agricultural Adjust-  
ment Act of 1938,  
amendment.  
52 Stat. 203, 586.  
7 U. S. C., Supp. IV,  
§ 1344 (h).  
Reapportionment of  
cotton acreage allot-  
ments; certain provi-  
sions to apply to any  
crop year.  
*Proviso.*  
Allotment of acreage  
in counties.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subsection (h) of section 344 of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out the words "for the crop year 1938", and inserting in lieu thereof the words "for any crop year"; and by striking out the words "for 1938" where they appear in the first proviso of such subsection: *Provided,* That hereafter such allotment of acreage in counties shall be to such farms as the County Committee of such county may designate. In making such designation the County Committee shall consider only the character and adaptability of the soil and other physical facilities affecting the production of cotton and the need of operator for an additional allotment to meet the requirement of the families engaging in the production of cotton on the farm in such year.

Approved, March 13, 1939.

## [CHAPTER 10]

## AN ACT

March 15, 1939

[H. R. 2868]

[Public, No. 7]

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1939, to provide supplemental appropriations for the fiscal year ending June 30, 1939, and for other purposes.

First Deficiency Ap-  
propriation Act, fiscal  
year 1939.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1939, to provide supplemental appropriations for the fiscal year ending June 30, 1939, and for other purposes, namely:

## TITLE I—GENERAL APPROPRIATIONS

## LEGISLATIVE

## SENATE

Royal S. Copeland.  
Payment to widow.

Miscellaneous  
items, fiscal year 1938.  
Fiscal year 1939.

For payment to Frances S. Copeland, widow of Honorable Royal S. Copeland, late a Senator from the State of New York, \$10,000.  
For miscellaneous items, exclusive of labor, fiscal year 1938, \$15,000.  
For miscellaneous items, exclusive of labor, fiscal year 1939, \$150,000.

For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers of committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding 25 cents per hundred words, fiscal year 1939, \$100,000: *Provided*, That no part of this appropriation shall be expended for per diem and subsistence expenses except in accordance with the provisions of the Subsistence Expense Act of 1926, approved June 3, 1926, as amended.

Inquiries and investigations.

*Proviso.*  
Per diem and subsistence, limitation.  
44 Stat. 688.  
5 U. S. C. §§ 821-833.

#### HOUSE OF REPRESENTATIVES

For payment to the widow of Allard H. Gasque, late a Representative from the State of South Carolina, \$10,000.

Allard H. Gasque.  
Payment to widow.

For payment to the widow of Robert L. Bacon, late a Representative from the State of New York, \$10,000.

Robert L. Bacon.  
Payment to widow.

For payment to the widow of John J. Boylan, late a Representative from the State of New York, \$10,000.

John J. Boylan.  
Payment to widow.

For payment to the widow of Stephen W. Gambrill, late a Representative from the State of Maryland, \$10,000.

Stephen W. Gambrill.

For payment to the widow of Ben Cravens, late a Representative from the State of Arkansas, \$10,000.

Payment to widow.  
Ben Cravens.  
Payment to widow.

The five foregoing sums to be disbursed by the Sergeant at Arms of the House of Representatives.

#### INDEPENDENT ESTABLISHMENTS

##### MOUNT RUSHMORE NATIONAL MEMORIAL COMMISSION

Mount Rushmore National Memorial Commission: For an additional amount for carrying into effect the provisions of the Mount Rushmore Memorial Act of 1938, fiscal year 1939, \$75,000: *Provided*, That no part of this appropriation shall be expended for work on any figure, in addition to the four figures authorized by law, upon which work had not commenced as of June 22, 1936.

Mount Rushmore National Memorial Commission.  
52 Stat. 694.  
*Proviso.*  
Restriction.

##### SOCIAL SECURITY BOARD

Grants to States for unemployment compensation administration, Social Security Board: For an additional amount for grants to States for unemployment compensation administration as authorized in title III of the Social Security Act, approved August 14, 1935, fiscal year 1939, \$9,000,000.

Grants to States for unemployment compensation administration.  
49 Stat. 626.  
42 U. S. C., Supp. IV, § 501.

#### DEPARTMENT OF AGRICULTURE

##### FOREST SERVICE

National forest protection and management: For an additional amount for national forest protection and management, including the same purposes and objects specified under this head in the Agricultural Appropriation Act for the fiscal year 1939, \$500,000, to remain available until June 30, 1940, and to be expended only for the protection and management of the White Mountain National Forest, New Hampshire and Maine, including the salvaging of wind-damaged timber and restoration of experimental areas therein.

White Mountain National Forest, N. H. and Maine.  
52 Stat. 726.

New England hurricane damage: For rehabilitation and reestablishment of forest protection improvements, reduction of forest-fire hazards, and prevention of forest fires on State, county, municipal, and private forest lands in the States of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut, that were damaged by the hurricane of September 1938, including the employment of persons and means in the District of Columbia and elsewhere,

New England hurricane damage.  
*Post*, p. 631.

Printing and binding.

*Proviso.*  
Minor expenditures.  
R. S. § 3709.  
41 U. S. C. § 5.

Expenditure not to exceed State contribution.

printing and binding, and the purchase, exchange, operation, and maintenance of passenger-carrying vehicles, fiscal year 1939, to remain available until June 30, 1940, \$5,000,000: *Provided*, That section 3709, Revised Statutes (41 U. S. C. 5), shall not apply in the case of any expenditure hereunder where the aggregate amount involved does not exceed \$300: *Provided further*, That of the amount herein appropriated the Federal Government shall not expend in any State an amount in excess of the amount heretofore or hereafter made available by said State, or the political subdivisions thereof, for the purposes contained in this paragraph.

#### BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

Insect pests and plant diseases, control.  
*Post*, p. 962.

52 Stat. 344, 1126.  
7 U. S. C., Supp.  
IV, §§ 148-148e.  
Availability.

Control of incipient and emergency outbreaks of insect pests and plant diseases: For carrying out the purposes and provisions of, and for expenditures authorized under, Public Resolution Numbered 91, Seventy-fifth Congress, entitled "Joint resolution to amend the joint resolution entitled 'Joint resolution making funds available for the control of incipient or emergency outbreaks of insect pests or plant diseases, including grasshoppers, Mormon crickets, and chinch bugs', approved April 6, 1937", approved May 9, 1938 (52 Stat. 344, 1126), fiscal year 1939, to remain available until December 31, 1939, \$3,000,000.

### DEPARTMENT OF JUSTICE

#### FEDERAL BUREAU OF INVESTIGATION

Damage claims.

49 Stat. 1184.  
5 U. S. C., Supp.  
IV, § 300b.

Claims for damages: For the payment of claims for damages to any person or damages to or loss of privately owned property caused by employees of the Federal Bureau of Investigation, acting within the scope of their employment, considered, adjusted, and determined by the Attorney General, under the provisions of the Act entitled "An Act to provide for the adjustment and settlement of certain claims arising out of the activities of the Federal Bureau of Investigation", approved March 20, 1936 (49 Stat. 1184), as fully set forth in Senate Document Numbered 16, Seventy-sixth Congress, \$215.47.

### DEPARTMENT OF LABOR

#### WAGE AND HOUR DIVISION

Administration of the Fair Labor Standards Act.  
52 Stat. 1060.  
29 U. S. C., Supp.  
IV, ch. 8.

Personal services and rent.

Attendance at meetings.

Vehicles.

*Proviso.*  
Availability.

Administration of the Fair Labor Standards Act, Department of Labor—Salaries and expenses: For an additional amount for all authorized and necessary expenses of the Wage and Hour Division to be expended under the direction of the Administrator in performing the duties imposed upon him by the Fair Labor Standards Act of 1938, including personal services and rent in the District of Columbia and elsewhere, contract stenographic reporting services, travel expenses, including not to exceed \$2,500 for expenses of attendance at meetings concerned with the work of the Wage and Hour Division when incurred on the written authority of the Administrator, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, printing and binding, law books, books of reference, periodicals, manuscripts and special reports, newspapers and press clippings, supplies, office equipment, advertising, postage, telephone and telegraph service, reimbursement to State, Federal, and local agencies and their employees for services rendered, fiscal year 1939, \$850,000: *Provided*, That such additional sum shall also be available for administrative expenses of the Wage and Hour Division for the fiscal year 1939 heretofore incurred, otherwise properly chargeable thereto.

## CHILDREN'S BUREAU

Salaries and expenses, child-labor provisions, Fair Labor Standards Act, Children's Bureau: For an additional amount for all authorized and necessary expenses of the Children's Bureau in performing the duties imposed upon it by the Fair Labor Standards Act of 1938, including personal services and rent in the District of Columbia and elsewhere; traveling expenses; printing and binding; supplies; equipment, newspapers, books of reference, periodicals, and press clippings; and reimbursement to State and local agencies and their employees for services rendered, as authorized by section 11 of said Act, fiscal year 1939, \$79,000: *Provided*, That this appropriation shall be available for expenses of attendance of cooperating officials and consultants at conferences concerned with the work of the Children's Bureau under the Fair Labor Standards Act when called by the Children's Bureau with the written approval of the Secretary of Labor, and shall be available also in an amount not to exceed \$1,000 for expenses of attendance at meetings concerned with the work of the Children's Bureau under said Act when incurred on the written authority of the Secretary of Labor.

Child-labor provisions, Fair Labor Standards Act.

52 Stat. 1067.  
29 U. S. C., Supp. IV, § 212.  
Printing and binding.

52 Stat. 1066.  
29 U. S. C., Supp. IV, § 211.  
*Proviso.*  
Attendance at conferences, etc.

## NAVY DEPARTMENT

## OFFICE OF THE SECRETARY

Claims for damages by collision with naval vessels: To pay claims for damages adjusted and determined by the Secretary of the Navy under the provisions of the Act entitled "An Act to amend the Act authorizing the Secretary of the Navy to settle claims for damages to private property arising from collisions with naval vessels", approved December 28, 1922, as fully set forth in Senate Document Numbered 15, Seventy-sixth Congress, \$9,474.92.

Collision damage claims.

42 Stat. 1066.  
34 U. S. C. § 599.

## BUREAU OF YARDS AND DOCKS, PUBLIC WORKS

Naval Proving Ground, Dahlgren, Virginia: Purchase of land, \$100,000.

Naval Proving Ground, Dahlgren, Va.

## TREASURY DEPARTMENT

## OFFICE OF THE SECRETARY

Claims for damages, operation of vessels, Coast Guard and Public Health Service: To pay claims for damages adjusted and determined by the Secretary of the Treasury under the provisions of the Act entitled "An Act to provide for the adjustment and settlement of certain claims for damages resulting from the operation of vessels of the Coast Guard and the Public Health Service, in sums not exceeding \$3,000 in any one case", approved June 15, 1936, as fully set forth in Senate Document Numbered 19, Seventy-sixth Congress, \$549.58.

Coast Guard and Public Health Service, damage claims.

49 Stat. 1514.  
14 U. S. C., Supp. IV, § 71.

## PROCUREMENT DIVISION, PUBLIC BUILDINGS BRANCH

General Federal Office Building, Washington, District of Columbia: For the acquisition of the necessary land and the construction of a building for additional office space in the District of Columbia under the provisions of the Public Buildings Act approved May 25, 1926 (44 Stat. 630), as amended, including the extension of steam and water mains, removal or diversion of such sewers and utilities as may be necessary, and for administrative expenses in connection therewith, \$3,500,000.

General Federal Office Building, Washington, D. C., site and construction.

44 Stat. 630.  
40 U. S. C. ch. 6; Supp. IV, ch. 6.

## WAR DEPARTMENT

## CIVIL FUNCTIONS

## OFFICE OF THE SECRETARY

Private property  
damage claims.

37 Stat. 586.  
5 U. S. C. § 208.

Claims for damages to and loss of private property: To pay claims for damages adjusted and determined by the Secretary of War under the provisions of an Act entitled "An Act making appropriation for the support of the Army for the fiscal year ending June 30, 1913, and for other purposes", approved August 24, 1912, as fully set forth in Senate Document Numbered 14, Seventy-sixth Congress, \$785.

## CORPS OF ENGINEERS

River and harbor  
work, damage claims.

41 Stat. 1015.  
33 U. S. C. § 564.

Claims for damages, river and harbor work: To pay claims for damages under river and harbor work adjusted and determined by the War Department under the provision of section 9 of the River and Harbor Act, approved June 5, 1920 (U. S. C., title 33, sec. 564), as set forth in Senate Document Numbered 18, Seventy-sixth Congress, \$1,047.22.

## TITLE II—JUDGMENTS AND AUTHORIZED CLAIMS

## PROPERTY DAMAGE CLAIMS

Payment.

42 Stat. 1066.  
31 U. S. C. §§ 215-  
217.

SEC. 201. For the payment of claims for damages to or losses of privately owned property, adjusted and determined by the following respective departments and independent offices, under the provisions of the Act entitled "An Act to provide a method for the settlement of claims arising against the Government of the United States in the sums not exceeding \$1,000 in any one case", approved December 28, 1922 (U. S. C., title 31, secs. 215-217), as fully set forth in Senate Document Numbered 9 of the Seventy-sixth Congress, as follows:

Federal Emergency Administration of Public Works, \$265.91;  
Works Progress Administration, \$11,058.33;  
Department of Agriculture, \$6,002.39;  
Department of Commerce, \$1,157.84;  
Department of the Interior, \$3,043.02;  
Department of Labor, \$22.11;  
Navy Department, \$1,537.84;  
Treasury Department, \$519.32;  
War Department, \$8,269.38;  
Post Office Department (payable from postal revenues), \$1,789.15;

*Proviso.*  
Z. V. Thompson  
and Mrs. Elizabeth  
Dewenter, amounts  
allowed.

In all, \$33,665.29: *Provided*, That the amounts claimed and allowed, respectively, in item numbered 95, page 12 of such document, are hereby changed to \$7, and that the amount allowed in item numbered 5, page 25 of such document, is hereby changed to \$16.15.

## JUDGMENTS, UNITED STATES COURTS

Payment.

24 Stat. 505.  
28 U. S. C. §§ 41,  
258, 761-765; Supp. IV,  
§ 41.

SEC. 202. (a) For payment of the final judgments and decrees, including costs of suits, which have been rendered under the provisions of the Act of March 3, 1887, entitled "An Act to provide for the bringing of suits against the Government of the United States", as amended by the Judicial Code, approved March 3, 1911 (28 U. S. C. 41, 258, 761-765), certified to the Seventy-sixth Congress in Senate Document Numbered 12, under the following departments and establishments, namely:

Federal Emergency Administration of Public Works, \$3,700;  
War Department, \$5,080;

In all, \$8,780, together with such additional sum as may be necessary to pay interest and costs as specified in such judgments or as provided by law.

(b) For the payment of judgments, including costs of suit, rendered against the Government of the United States by a United States district court under the provisions of an Act entitled "An Act authorizing suits against the United States in admiralty for damages caused by and salvage services rendered to public vessels belonging to the United States, and for other purposes", approved March 3, 1925 (46 U. S. C. 781-789), certified to the Seventy-sixth Congress in Senate Document Numbered 12, under the following Departments:

Navy Department, \$8,042.50;

War Department, \$897;

In all, \$8,939.50.

(c) For payment of judgments, including costs of suits, rendered against the Government of the United States by United States district courts pursuant to authority contained in certain private Acts, or other special cases, and certified to the Seventy-sixth Congress in Senate Document Numbered 12, under the following Departments, namely:

Treasury Department, \$102.95;

War Department, \$10,096.17;

In all, \$10,199.12.

(d) None of the judgments contained under this caption shall be paid until the right of appeal shall have expired except such as have become final and conclusive against the United States by failure of the parties to appeal or otherwise.

(e) Payment of interest wherever provided for judgments contained in this Act shall not in any case continue for more than thirty days after the date of approval of the Act.

#### JUDGMENTS, COURT OF CLAIMS

SEC. 203. (a) For payment of the judgments rendered by the Court of Claims and reported to the Seventy-sixth Congress in Senate Document Numbered 11, under the following Departments and establishments, namely:

Interstate Commerce Commission, \$92.15;

Department of the Interior, \$2,688.33;

Department of Labor, \$17,948.62;

Navy Department, \$1,570.67;

Post Office Department, \$36,661.27;

War Department, \$72,275.85;

In all, \$131,236.89, together with such additional sum as may be necessary to pay interest as and where specified in such judgments.

(b) None of the judgments contained under this caption shall be paid until the right of appeal shall have expired, except such as have become final and conclusive against the United States by failure of the parties to appeal or otherwise.

#### AUDITED CLAIMS

SEC. 204. For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1936 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in

Interest and costs.

Suits in admiralty.

43 Stat. 1112.  
46 U. S. C. §§ 781-790.

Judgments in special cases.

Time of payment.

Interest.

Payment.

Interest.

Time of payment.

Payment.

18 Stat. 110.  
31 U. S. C. § 713.

23 Stat. 254.  
5 U. S. C. § 266.

Senate Document Numbered 10, Seventy-sixth Congress, there is appropriated as follows:

Legislative.

**Legislative:** For public printing and binding, Government Printing Office, \$158.40.

Independent offices.

**Independent offices:** For salaries and expenses, Board of Tax Appeals, \$327.81.

For Federal Civil Works Administration, \$1,272.36.

For National Industrial Recovery, Civil Works Administration, \$115.40.

For employees' compensation fund, Civil Works, \$1.67.

For agricultural credits and rehabilitation, emergency relief, \$281.14.

For farmers' crop production and harvesting loans, Farm Credit Administration, \$652.50.

For loans to farmers in drought- and storm-stricken areas, emergency relief, \$221.46.

For loans to farmers in storm- and flood-stricken areas, Southeastern States, \$120.83.

For loans and relief in stricken agricultural areas (transfer to Farm Credit Administration), \$926.02.

For salaries and expenses, Federal Communications Commission, \$2.30.

For Interstate Commerce Commission, \$9,493.12.

For National Industrial Recovery, National Recovery Administration, \$5.75.

40 Stat. 1009.

For operations under Mineral Act of October 5, 1918, \$128,117.51.

For Public Works Administration, allotment to National Resources Board, \$52.02.

For Securities and Exchange Commission, \$2.

For salaries and expenses, Social Security Board, \$66.97.

For Army pensions, \$80.

For Army and Navy pensions, \$160.56.

For investigation of pension cases, Bureau of Pensions, \$1.

For military and naval compensation, Veterans' Bureau, \$60.

For military and naval insurance, Veterans' Bureau, \$7.29.

For medical and hospital services, Veterans' Bureau, \$62.23.

For salaries and expenses, Veterans' Administration, \$2,376.77.

Department of Agriculture.

**Department of Agriculture:** For salaries and expenses, Library, Department of Agriculture, \$27.05.

For salaries and expenses, Weather Bureau, \$53.97.

For salaries and expenses, Bureau of Animal Industry, \$267.42.

For salaries and expenses, Bureau of Plant Industry, \$3.97.

For salaries and expenses, Forest Service, \$348.03.

For salaries and expenses, Bureau of Agricultural Economics, \$30.13.

For salaries and expenses, Bureau of Biological Survey, \$14.44.

For salaries and expenses, Bureau of Chemistry and Soils, \$31.02.

For salaries and expenses, Bureau of Entomology, \$13.05.

For salaries and expenses, Bureau of Entomology and Plant Quarantine, 52 cents.

For salaries and expenses, Soil Conservation Service, \$28,245.87.

For elimination of diseased cattle, Department of Agriculture, \$143.

For grasshopper control, \$36.80.

For soil-erosion investigations, \$5.75.

For plant reserve stations, Soil Conservation Service, \$27.97.

For payment to officers and employees of the United States in foreign countries due to appreciation of foreign currencies (Agriculture), \$192.70.

For general expenses, Agricultural Adjustment Administration, \$519.95.

For working fund, Agriculture, Animal Industry (Agricultural Adjustment Administration), \$1,068.30.

For working fund, Agriculture, Agricultural Adjustment Administration (Federal Emergency Relief, surplus relief, National Industrial Recovery), \$1.35.

For working fund, Agriculture, Biological Survey (Federal Emergency Relief, surplus relief, National Industrial Recovery), \$2.

For Emergency Relief and Public Works, Agriculture, wildlife refuges, \$14,872.58.

For Emergency Conservation Fund (transfer from War to Agriculture, Act March 31, 1933), \$41.21.

48 Stat. 22.

For Emergency Conservation Fund (transfer from War to Agriculture, Act June 19, 1934), \$147.11.

48 Stat. 1021.

For loans and relief in stricken agricultural areas (transfer to Agriculture), \$6,175.58.

For loans and relief in stricken agricultural areas (transfer to Agriculture, silviculture), \$16.62.

For National Industrial Recovery, Resettlement Administration, subsistence homesteads (transfer to Agriculture), \$658.93.

For exportation and domestic consumption of agricultural commodities, Department of Agriculture, \$15,435.28.

**Department of Commerce:** For air-navigation facilities, \$891.97.

Department of Commerce.

For general expenses, Lighthouse Service, \$2,149.34.

For payment to officers and employees of the United States in foreign countries due to appreciation of foreign currencies (Commerce), \$39.38.

For salaries and expenses, Social Security Act, Bureau of the Census, \$500.

49 Stat. 620.  
42 U. S. C., Supp.  
IV, ch. 7.

For retired pay, Lighthouse Service, \$364.

For aircraft in Commerce, \$15.90.

For expenses of the Fourteenth Census, \$114.

For collecting statistics, Bureau of the Census, \$5.

For transportation of families and effects of officers and employees, Bureau of Foreign and Domestic Commerce, \$240.

For contingent expenses, Steamboat Inspection Service, 95 cents.

For export industries, Department of Commerce, \$9.78.

For salaries and expenses, Bureau of Navigation and Steamboat Inspection, \$11.66.

**Department of the Interior:** For National Park Service, \$1,560.37.

Department of the Interior.

For salaries and expenses, public buildings outside the District of Columbia, National Park Service, \$110.31.

For salaries and commissions of registers, \$141.23.

For salaries and expenses, Division of Grazing Control, Department of the Interior, \$48.70.

For mineral mining investigations, Bureau of Mines, \$34.64.

For operating rescue cars and stations and investigation of accidents, Bureau of Mines, \$1.50.

For National Industrial Recovery, Interior, oil regulations, \$19.33.

For contingent expenses, Department of the Interior, \$132.62.

For general expenses, General Land Office, \$35.25.

For maintenance, irrigation systems, Flathead Reservation, Montana (receipt limitation), \$253.69.

For roads, Indian reservations, \$21.59.

For conservation of health among Indians, \$1,332.58.

For purchase and transportation of Indian supplies, \$2,129.68.



For suppressing liquor traffic among Indians, \$4.  
 For maintenance, San Carlos irrigation project, Gila River reservation, Arizona (receipt limitation), \$95.10.  
 For irrigation, Indian reservations (reimbursable), \$106.20.  
 For industry among Indians, \$616.92.  
 For Indian agency buildings, \$268.61.  
 For pay of Indian police, \$69.97.  
 For Indian school support, \$1,169.23.  
 For loans and relief in stricken agricultural areas (transfer from Agriculture to Interior, Indians), \$1,008.19.  
 For Indian service supply fund, \$1,401.74.  
 For education of natives of Alaska, \$120.65.  
 For medical relief of natives of Alaska, \$25.  
 For Emergency conservation fund (transfer from War to Interior, Indians, Act March 31, 1933), \$512.16.  
 For Emergency conservation fund (transfer from War to Interior, Indians, Act June 19, 1934), \$3,330.04.  
 For support of Indians and administration of Indian property, \$138.93.  
 For obtaining employment for Indians, \$7.32.  
 For expenses of organizing Indian corporations, \$29.11.  
 For general expenses, Indian service, \$12.27.  
 For fulfilling treaties with Northern Cheyenne and Arapahoes, Montana, \$41.13.  
 For Indian boarding schools, \$334.52.  
 For expenses, sale of timber (reimbursable), \$275.37.  
 For agriculture and stock raising among Indians, \$9.85.  
 For administration of Indian forests, \$51.41.  
 For fulfilling treaties with Sioux of different tribes, including Santee Sioux of Nebraska, North Dakota, and South Dakota, \$224.33.  
**Department of Justice:** For supplies for United States courts, \$10.  
 For contingent expenses, Department of Justice, \$38.50.  
 For detection and prosecution of crimes, \$10.90.  
 For printing and binding, Department of Justice and courts, \$48.65.  
 For salaries, fees, and expenses of marshals, United States courts, \$697.  
 For fees of jurors and witnesses, United States courts, \$79.35.  
 For fees of commissioners, United States courts, \$2,147.20.  
 For support of United States prisoners, \$808.05.  
 For miscellaneous expenses, United States courts, \$13.30.  
 For pay of bailiffs, and so forth, United States courts, \$35.  
 For salaries and expenses of clerks, United States courts, \$44.37.  
 For United States Southwestern Reformatory, maintenance, \$81.11.  
 For United States Penitentiary, Leavenworth, Kansas, maintenance, \$29.93.  
 For United States Penitentiary, Alcatraz Island, California, maintenance, \$457.54.  
 For United States Penitentiary, Atlanta, Georgia, maintenance, \$266.98.  
 For salaries, district court, Panama Canal Zone, \$834.62.  
 For salaries and expenses, Division of Investigation, \$10.01.  
 For salaries and expenses, Division of Investigation, Department of Justice, \$27.15.  
 For United States Industrial Reformatory, Chillicothe, Ohio, maintenance, \$87.81.  
 For salaries and expenses of district attorneys, United States courts, \$2.50.

48 Stat. 22.

48 Stat. 1021.

Department of Justice.

**Department of Labor:** For salaries and expenses, Children's Bureau, \$15.64.

Department of Labor.

For payment to officers and employees of the United States in foreign countries due to appreciation of foreign currencies (Labor), \$9.89.

For salaries and expenses, Immigration and Naturalization Service, \$154.

For Salaries and expenses, commissioners of conciliation, \$8.18.

For salaries and expenses, Bureau of Labor Statistics, \$1.75.

For investigation of cost of living in the United States, \$7.

**Navy Department:** For payment to officers and employees of the United States in foreign countries due to appreciation of foreign currencies (Navy), \$1,891.11.

Navy Department.

For Miscellaneous expenses, Navy, \$315.17.

For pay, miscellaneous, \$1.15.

For transportation, Bureau of Navigation, \$118.57.

For organizing the Naval Reserve, \$370.41.

For engineering, Bureau of Engineering, \$6,456.

For ordnance and ordnance stores, Bureau of Ordnance, \$231,955.25.

For pay, subsistence, and transportation, Navy, \$35,041.97.

For pay of the Navy, \$659.06.

For maintenance, Bureau of Supplies and Accounts, \$1,585.85.

For maintenance, Bureau of Yards and Docks, \$1,776.43.

For general expenses, Marine Corps, \$577.76.

For pay, Marine Corps, \$3,197.19.

For judgments, bounty for destruction of enemy's vessels, \$17.77.

For aviation, Navy, \$63,579.91.

For increase of the Navy, emergency construction, \$256,965.47.

**Post Office Department:** For operating supplies for public buildings, general fund, \$5.98.

Post Office Department.

For transportation of equipment and supplies, general fund, \$266.75.

**Department of State:** For salaries, Foreign Service officers, \$1,011.31.

Department of State.

For office and living quarters, Foreign Service, \$22.92.

For rescue, relief, and protection of American seamen, \$50.33.

For salaries, Foreign Service clerks, \$315.37.

For contingent expenses, Foreign Service, \$82.59.

For contingent expenses, foreign missions, \$28.79.

For transportation of Foreign Service officers, \$118.07.

For payment to officers and employees of the United States in foreign countries due to appreciation of foreign currencies (State), \$238.83.

For International Boundary Commission, United States and Mexico, 95 cents.

**Treasury Department:** For expenses, Emergency Banking, Gold Reserve and Silver Purchase Acts, 63 cents.

Treasury Department.  
48 Stat. 1, 337, 1178.

For payment to officers and employees of the United States in foreign countries due to appreciation of foreign currencies (Treasury), \$37.47.

For contingent expenses, Treasury Department, \$6.18.

For stationery, Treasury Department, \$5.86.

For collecting the revenue from customs, \$427.26.

For refunds and drawbacks, customs, \$47.48.

For collecting the internal revenue, \$1,110.85.

For pay of personnel and maintenance of hospitals, Public Health Service, \$457.99.

For salaries and expenses, Bureau of Narcotics, \$3.60.

For Coast Guard, \$78.40.  
 For contingent expenses, Coast Guard, \$374.92.  
 For fuel and water, Coast Guard, \$258.95.  
 For outfits, Coast Guard, \$45.54.  
 For pay and allowances, Coast Guard, \$270.46.  
 For rebuilding and repairing stations, and so forth, Coast Guard, \$1.69.  
 For salaries and expenses, Bureau of Engraving and Printing, \$2.31.  
 For suppressing counterfeiting and other crimes, \$57.42.  
 For educational exhibits, Public Health Service, 46 cents.  
 For expenses, Division of Mental Hygiene, Public Health Service, \$17.25.  
 For interstate quarantine service, \$13.40.  
 For pay, and so forth, commissioned officers, Public Health Service, \$332.53.  
 For quarantine service, \$792.94.  
 For salaries and expenses, mints and assay offices, \$10.73.  
 For contingent expenses, national currency (reimbursable), \$5.29.  
 For furniture and repairs of same for public buildings, \$22.60.  
 For general expenses, Procurement Division, \$12.49.  
 For general administrative expenses, Public Works Branch, Procurement Division, \$27.23.  
 For operating expenses, Treasury buildings, Procurement Division, \$8.29.  
 For operating force for public buildings, 66 cents.  
 For operating force for public buildings, Procurement Division, \$8.60.  
 For mechanical equipment for public buildings, Procurement Division, \$175.50.  
 For salaries and expenses, Branch of Supply Procurement Division, \$3.94.  
 For repairs and preservation of public buildings, Procurement Division, \$14.18.  
 For repairs, preservation, and equipment, public buildings, Procurement Division, \$51.74.  
 For furniture and repairs of same for public buildings, Procurement Division, \$29.25.  
 For salaries and expenses, Division of Disbursement, \$3.69.  
**War Department:** For general appropriations, Quartermaster Corps, \$11,054.12.  
 For pay, and so forth, of the Army, \$8,923.92.  
 For pay of the Army, \$5,447.87.  
 For arming, equipping, and training the National Guard, \$1,300.07.  
 For Army transportation, \$1,201.14.  
 For subsistence of the Army, \$994.32.  
 For travel, military and civil personnel, War Department, \$108.94.  
 For citizens' military training camps, \$113.95.  
 For pay, and so forth, of the Army, War with Spain, \$102.52.  
 For incidental expenses of the Army, \$15.75.  
 For National Guard, \$1,284.12.  
 For increase of compensation, Military Establishment, \$1,380.34.  
 For pay, and so forth, of the Army (Longevity, Act January 29, 1927), \$1,205.25.  
 For mileage of the Army, \$104.32.  
 For barracks and quarters, \$1,125.84.  
 For arms, uniforms, equipment, and so forth, for field service, National Guard, \$33.79.  
 For extra pay to Regular Army, War with Spain, \$21.60.

War Department.

44 Stat. 1054.

For payment to officers and employees of the United States in foreign countries due to appreciation of foreign currencies (War), \$155.73.

For supplies, services, and transportation, Quartermaster Corps, \$500.28.

For signal service of the Army, \$7,164.80.

For replacing ordnance and ordnance stores, \$46.55.

For extra pay to volunteers, War with Spain, \$216.40.

For pay, and so forth, of the Army (estates of deceased soldiers, section 4818, Revised Statutes), \$1,141.

R. S. § 4818.  
24 U. S. C. § 44.

For horses, draft and pack animals, \$14.16.

For Medical and Hospital Department, Army, \$47.

For claims of officers and men of the Army for destruction of private property (Act March 3, 1885), \$206.72.

23 Stat. 350.

For replacing medical supplies, \$117.74.

For Reserve Officers' Training Corps, \$136.18.

For Air Corps, Army, \$406.39.

For Organized Reserves, \$166.96.

For ordnance service and supplies, Army, \$6,571.13.

For fortifications in insular possessions, \$16.

For Air Service, Army, \$58.33.

For travel of the Army, \$22.77.

For construction and repair of hospitals, Army, \$580.

For contingent expenses, War Department, \$1.22.

For clothing and equipage, \$65.58.

For seacoast defenses, \$3.77.

For replacing clothing and equipage, \$7.

For cemeterial expenses, War Department, \$9.61.

For Emergency Conservation Fund (transfer to War, Act March 31, 1933), \$4,495.66.

48 Stat. 22.

For Emergency Conservation Fund (transfer to War, Act June 19, 1934), \$23,566.39.

48 Stat. 1021.

For loans and relief in stricken agricultural areas (transfer from Emergency Conservation Work to War, Act June 19, 1934), \$273.51.

For Vicksburg National Military Park, Mississippi, \$1.56.

For Stones River National Military Park, Tennessee, \$1.01.

**District of Columbia:** For miscellaneous expenses, Supreme Court, District of Columbia, \$260.

District of Columbia.

**Post Office Department, Postal Service (out of the postal revenues):** For city delivery carriers, \$514.49.

Post Office Department.

For clerks, first- and second-class post offices, \$146.58.

For compensation to postmasters, \$94.80.

For electric- and cable-car service, \$960.72.

For foreign mail transportation, \$121.06.

For freight, express, or motor transportation of equipment, and so forth, \$436.23.

For furniture, carpets, and safes for public buildings, \$128.48.

For furniture, carpets, and safes for public buildings, Post Office Department, \$330.35.

For indemnities, domestic mail, \$310.90.

For miscellaneous items, first- and second-class post offices, \$2.17.

For operating force for public buildings, Post Office Department, \$5.

For operating supplies for public buildings, \$46.81.

For operating supplies for public buildings, Post Office Department, \$173.61.

For post office equipment and supplies, \$4.

For railroad transportation and mail messenger service, \$182,155.17.

For Railway Mail Service, miscellaneous expenses, \$14.78.

For rent, light, and fuel, \$2,569.65.  
 For Rural Delivery Service, \$118.69.  
 For separating mails, \$34.20.  
 For Star Route Service, 71 cents.  
 For transportation of equipment and supplies, \$1,268.25.  
 For vehicle service, \$1,989.65.

Total; additional  
 sum, increases in rates  
 of exchange.

Total, audited claims, section 204, \$1,122,354.01, together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency as specified in certain of the settlements of the General Accounting Office.

Judgments against  
 collectors of customs.

SEC. 205. Judgments against collectors of customs: For the payment of claims allowed by the General Accounting Office covering judgments rendered by the United States District Court for the Southern District of New York against a collector of customs, where certificates of probable cause have been issued as provided for under section 989, Revised Statutes (28 U. S. C. 842), and certified to the Seventy-sixth Congress in Senate Document Numbered 13, under the Department of Labor, \$7,467.45.

R. S. § 989.  
 28 U. S. C. § 842.

Interest withheld  
 from claimants.

SEC. 206. Interest withheld from claimants: For payment of interest on amounts withheld from claimants by the Comptroller General of the United States, Act of March 3, 1875, as amended by section 13 of the Act of March 3, 1933 (31 U. S. C. 227), as allowed by the General Accounting Office, and certified to the Seventy-sixth Congress in Senate Document Numbered 17, under the Treasury Department, \$1,327.44.

18 Stat. 481; 47 Stat.  
 1516.  
 31 U. S. C. § 227.

Short title.

SEC. 207. This Act may be cited as the "First Deficiency Appropriation Act, fiscal year 1939".

Approved, March 15, 1939.

#### [CHAPTER 11]

#### AN ACT

March 16, 1939  
 [H. R. 3743]  
 [Public, No. 8]

Making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1940, and for other purposes.

Independent Offices  
 Appropriation Act,  
 1940.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1940, namely:

### EXECUTIVE OFFICE

#### COMPENSATION OF THE PRESIDENT AND VICE PRESIDENT

President.  
 Vice President.

For compensation of the President of the United States, \$75,000.  
 For compensation of the Vice President of the United States, \$15,000.

#### OFFICE OF THE PRESIDENT

Salaries.  
*Post*, p. 981.  
*Proviso*.  
 Temporary details.

Salaries: For personal services in the office of the President, including the Secretary to the President, and two additional secretaries to the President at \$10,000 each; \$136,500: *Provided*, That employees of the executive departments and other establishments of the executive branch of the Government may be detailed from time to time to the office of the President of the United States for such temporary assistance as may be deemed necessary.

Contingent ex-  
 penses.  
*Post*, p. 981.

Contingent expenses: For contingent expenses of the Executive Office, including stationery, record books, telegrams, telephones, books for library, furniture and carpets for offices, automobiles, expenses

of garage, including labor, special services, and miscellaneous items to be expended in the discretion of the President, \$50,000.

For printing and binding, \$2,700.

Traveling expenses: For traveling and official entertainment expenses of the President of the United States, to be expended in his discretion and accounted for on his certificate solely, \$25,000.

Total, Executive Office proper, \$304,200.

Printing and binding.  
Traveling, etc., expenses.  
*Post*, p. 981.

#### EXECUTIVE MANSION AND GROUNDS

For the care, maintenance, repair and alteration, refurnishing, improvement, heating, and lighting, including electric power and fixtures of the Executive Mansion, the Executive Mansion greenhouses, including reconstruction, and the Executive Mansion grounds, and traveling expenses, to be expended as the President may determine, notwithstanding the provisions of any other Act, \$146,750.

Total, Executive Office, \$450,950.

Care, repair, etc.

### INDEPENDENT ESTABLISHMENTS

#### AMERICAN BATTLE MONUMENTS COMMISSION

For every expenditure requisite for or incident to the work of the American Battle Monuments Commission authorized by the Act of March 4, 1923 (36 U. S. C. 121–138), and by Executive Order Numbered 6614 of February 26, 1934, including the acquisition of land or interest in land in foreign countries for carrying out the purposes of said Act and Executive order without submission to the Attorney General of the United States under the provisions of section 355 of the Revised Statutes (34 U. S. C. 520; 40 U. S. C. 255); employment of personal services in the District of Columbia and elsewhere; including not to exceed \$3,000 for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (5 U. S. C. 118a); purchase and repair of uniforms for caretakers of national cemeteries and monuments in Europe at a cost not exceeding \$600; travel expenses; rent of office space in foreign countries; the maintenance, repair, and operation of motor-propelled passenger-carrying vehicles which may be furnished to the Commission by other departments of the Government or acquired by purchase; printing, binding, engraving, lithographing, photographing, and typewriting, including the publication of information concerning the American activities, battlefields, memorials, and cemeteries in Europe; the purchase of maps, textbooks, newspapers and periodicals, \$140,000: *Provided*, That notwithstanding the requirements of existing laws or regulations, and under such terms and conditions as the Commission may in its discretion deem necessary and proper, the Commission may contract for work, supplies, materials, and equipment in Europe and engage, by contract or otherwise, the services of architects, firms of architects, and other technical and professional personnel: *Provided further*, That the Commission may purchase supplies and materials in the United States without regard to section 3709 of the Revised Statutes (41 U. S. C. 5) when the aggregate amount involved does not exceed \$500: *Provided further*, That when traveling on business of the Commission, officers of the Army serving as members or as secretary of the Commission may be reimbursed for expenses as provided for civilian members of the Commission: *And provided further*, That the Commission may delegate to its chairman, secretary, or officials in charge of either its Washington or Paris offices, under such terms and conditions as it may prescribe, such of its authority as it may deem necessary and proper.

All expenses.  
42 Stat. 1509.  
36 U. S. C. ch. 8;  
Supp. IV, ch. 8.

Acquisition of land abroad.

R. S. § 355.  
34 U. S. C. § 520;  
40 U. S. C. § 255.

Living quarters.  
46 Stat. 818.  
5 U. S. C. § 118a.

Uniforms for caretakers.

Vehicles.

Printing, binding, etc.

*Provided*.  
Technical, etc., work in Europe.

Minor purchases.

R. S. § 3709.  
41 U. S. C. § 5.

Traveling expenses.

Delegation of authority.

## BOARD OF TAX APPEALS

All expenses.  
43 Stat. 336; 44 Stat.  
105; 45 Stat. 871; 47  
Stat. 286.  
26 U. S. C. §§ 600-645.

For every expenditure requisite for and incident to the work of the Board of Tax Appeals as authorized under title IX, section 900, of the Revenue Act of 1924, approved June 2, 1924, as amended by title X of the Revenue Act of 1926, approved February 26, 1926, and title IV of the Revenue Act of 1928, approved May 29, 1928, and title IX of the Revenue Act of 1932, approved June 6, 1932, including personal services and contract stenographic reporting services, rent outside the District of Columbia, traveling expenses, carfare, stationery, furniture, office equipment, purchase and exchange of typewriters, law books and books of reference, periodicals, and all other necessary supplies, \$528,000.

Printing and binding.

For all printing and binding for the Board of Tax Appeals, \$29,000.  
Total, Board of Tax Appeals, \$557,000.

## CENTRAL STATISTICAL BOARD

All expenses.

For every expenditure requisite for and incident to the work of the Central Statistical Board as authorized by law, including personal services in the District of Columbia; traveling expenses; materials; supplies; office equipment; mimeographing, special messenger, contract stenographic reporting, and other services; newspapers; periodicals and press clippings; repairs and alterations; and not to exceed \$200 for expenses of attendance at meetings which in the discretion of the chairman are necessary for the efficient discharge of the responsibilities of the Board, \$125,000.

Printing and binding.

For all printing and binding for the Central Statistical Board, \$1,000.

Proviso.  
No other funds to  
be available; excep-  
tion.  
52 Stat. 412.

Total, Central Statistical Board, \$126,000: *Provided*, That no other money appropriated in this or any other Act, except the money appropriated for the Board in the Independent Offices Appropriation Act for the fiscal year 1939, shall be available for the Central Statistical Board after the passage of this Act.

## CIVIL AERONAUTICS AUTHORITY

Salaries and ex-  
penses.  
*Post*, p. 1302.

52 Stat. 973.  
49 U. S. C., Supp.  
IV, ch. 9.  
Traveling expenses.  
Attendance at meet-  
ings.

Air Safety Board.  
*Post*, p. 527.

Transportation of  
personal property.

Purchase of books,  
etc.

Salaries and expenses: For salaries and expenses of the Civil Aeronautics Authority, including the expenses of operation, maintenance, and upkeep of air navigation facilities, in carrying out the duties, powers, and functions devolving upon it pursuant to the authority contained in the Civil Aeronautics Act of 1938 (52 Stat. 973), including traveling expenses and expenses of employees detailed by the Chairman of the Authority or the Administrator to attend meetings of associations, organizations, or other properly constituted bodies concerned with the civil aeronautics industry or the art of aeronautics, in the United States or in foreign countries; personal services and rentals in the District of Columbia and elsewhere including expenses of the Air Safety Board other than those specifically provided for under "Salaries and Expenses Air Safety Board"; contract stenographic reporting services; fees and mileage of witnesses; examination of estimates of appropriations in the field, including actual expenses of subsistence or per diem allowance in lieu thereof; expenses of packing, crating, drayage, and transportation of household effects and other personal property (not exceeding in any one case five thousand pounds) of employees when transferred from one official station to another for permanent duty, upon specific authorization by the Chairman of the Authority or the Administrator; purchase and exchange of professional and scientific books, law books, books

of reference, atlases and maps, periodicals and newspapers; purchase and exchange (not to exceed \$400,000), operation, maintenance, repair, and overhaul of aircraft, aircraft power plants, propellers and equipment, and spare parts therefor; purchase and exchange (not to exceed \$45,000), hire, maintenance, repair, and operation of passenger-carrying automobiles, including two automobiles for use in the District of Columbia; and purchase of special clothing, wearing apparel, and suitable equipment for aviation purposes (including rubber boots, snowshoes, and skis), \$13,738,000, of which \$557,000 shall be available for the Technical Development Division: *Provided*, That this appropriation shall be available for payments, at a rate not to exceed 3 cents per mile, to maintenance and operating personnel, as reimbursement to such personnel of the expenses of necessary travel in their personally owned automobiles within the limits of their official posts of duty when such travel is performed in connection with the maintenance and operation of remotely controlled air navigation facilities.

Salaries and expenses, Air Safety Board: For salaries and expenses of the Air Safety Board in carrying out the duties and functions devolving upon it pursuant to the provisions of sections 701 and 702 of the Civil Aeronautics Act of 1938, except clause (5) of subsection 702 (a) thereof (52 Stat. 973), including personal services in the District of Columbia and elsewhere; rent and expenses incident to the operation of field offices; traveling expenses; contract stenographic reporting services; fees and mileage of witnesses; operation, maintenance, repair, and overhaul of aircraft; hire, maintenance, repair, and operation of passenger-carrying automobiles, including one automobile for use in the District of Columbia; and purchase of special clothing, wearing apparel, and suitable equipment for aviation purposes (including rubber boots, snowshoes, and skis), \$380,000, of which amount not to exceed \$25,000 may be expended for temporary employment in the investigation of aircraft accidents of consultants and experts on a contract or fee basis without regard to section 3709 of the Revised Statutes.

Printing and binding: For printing and binding, \$100,000.

Establishment of air-navigation facilities: For the establishment of additional air navigation facilities, including the equipment of additional civil airways for day and night flying; the construction of additional necessary lighting, radio, and other signaling and communicating structures and apparatus; the alteration and modernization of existing air navigation facilities; and for the acquisition of the necessary sites by lease or grant, \$7,000,000, of which amount \$2,000,000 shall be available for the payment of contractual obligations authorized to be incurred prior to July 1, 1939: *Provided*, That in addition to the amount herein appropriated, the Administrator may, prior to July 1, 1940, enter into contracts for the purchase, construction, and installation of additional air navigation aids not in excess of \$2,000,000: *Provided further*, That this construction work may be accomplished either by contract or by purchase and hire: *Provided further*, That not to exceed 5 per centum of the amount herein appropriated shall be available for the temporary employment and travel in the field of personnel required in the supervision of this construction work.

Section 3709 of the Revised Statutes of the United States (41 U. S. C. 5) shall not be construed to apply to any purchase or service rendered for the Civil Aeronautics Authority when the aggregate amount involved does not exceed \$100.

Total, Civil Aeronautics Authority, \$21,218,000.

Purchase, maintenance, etc., of aircraft.

Vehicles.

*Proviso.*  
Necessary travel in personally owned automobiles, reimbursement.

Air Safety Board, salaries and expenses.  
*Ante*, p. 526.

52 Stat. 1012.  
49 U. S. C., Supp. IV, §§ 581-582.

Aircraft, automobiles, etc.

Investigation of aircraft accidents.

R. S. § 3709.  
41 U. S. C. § 5.

Printing and binding.  
Establishment of air-navigation facilities.

Acquisition of sites.  
Payment of contractual obligations.

*Provisos.*  
Contracts for additional navigation aids.

Construction work.

Temporary employees, etc.

Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.



## CIVIL SERVICE COMMISSION

Commissioners, and  
office personnel.

Attendance at meet-  
ings.

Miscellaneous ex-  
penses.

Amount immedi-  
ately available.  
*Provided.*  
Actuarial services.

Details from de-  
partments, etc., re-  
striction.

Emergency trans-  
fers, etc., permitted.

Printing and bind-  
ing.

For three Commissioners and other personal services in the District of Columbia, including personal services required for examination of Presidential postmasters, and including not to exceed \$2,500 for employment of expert examiners not in the Federal service on special subjects for which examiners within the service are not available, and for personal services in the field; for medical examinations; for necessary traveling expenses, including those of examiners acting under the direction of the Commission, and for expenses of examinations and investigations held elsewhere than at Washington, including not to exceed \$5,000 for expenses incident to attendance at meetings concerned with problems of public officials, educational groups, Government employees as such, and other similar organizations, which are peculiar to the interests and business of the Commission, when specifically directed by the Commission; for furniture and other equipment and repairs thereto; rental of equipment; supplies; advertising; telegraph, telephone, and laundry service; freight and express charges; streetcar fares not to exceed \$300; stationery; purchase and exchange of law books, books of reference, directories, subscriptions to newspapers and periodicals, not to exceed \$1,000; charts; purchase, exchange, maintenance, and repair of motortrucks, motorcycles, and bicycles; garage rent; postage stamps to prepay postage on matter addressed to Postal Union countries; special-delivery stamps; and other like miscellaneous necessary expenses not heretofore provided for, \$4,250,000, of which not to exceed \$550,000 shall be immediately available: *Provided*, That notwithstanding any provisions of law to the contrary, the Civil Service Commission is authorized to expend not to exceed \$3,000 of this amount for actuarial services pertaining to the civil service, Canal Zone, and Alaska Railroad retirement and disability funds, to be obtained by contract, without obtaining competition, at such rates of compensation as the Commission may determine to be reasonable: *Provided further*, That no details from any executive department or independent establishment in the District of Columbia or elsewhere to the Commission's central office in Washington or to any of its district offices shall be made during the fiscal year ending June 30, 1940, but this shall not affect the making of details for service as members of the boards of examiners outside the immediate offices of the district managers: *Provided further*, That the Civil Service Commission shall have power in case of emergency to transfer or detail any of its employees to or from its office or field force.

For all printing and binding for the Civil Service Commission, including all of its bureaus, offices, institutions, and services located in Washington and elsewhere, \$150,000, of which not to exceed \$20,000 shall be immediately available.

## CIVIL-SERVICE RETIREMENT AND DISABILITY FUND

Contribution.

41 Stat. 614.  
5 U. S. C. ch. 14;  
Supp. IV, ch. 14.

For financing of the liability of the United States, created by the Act entitled "An Act for the retirement of employees in the classified civil service, and for other purposes", approved May 22, 1920, and Acts amendatory thereof (38 U. S. C. 11), \$86,329,000, which amount shall be placed to the credit of the "civil-service retirement and disability fund".

## CANAL ZONE RETIREMENT AND DISABILITY FUND

Contribution.

For financing of the liability of the United States, created by the Act entitled "An Act for the retirement of employees of the Panama Canal and the Panama Railroad Company, on the Isthmus of

Panama, who are citizens of the United States", approved March 2, 1931, and Acts amendatory thereof (48 U. S. C. 1371n), \$500,000, which amount shall be placed to the credit of the "Canal Zone retirement and disability fund".

46 Stat. 1471.  
48 U. S. C. § 1371n.

#### ALASKA RAILROAD RETIREMENT AND DISABILITY FUND

For financing of the liability of the United States created by the Act entitled "An Act for the retirement of employees of the Alaska Railroad, Territory of Alaska, who are citizens of the United States", approved June 29, 1936 (49 Stat. 2017), \$175,000, which amount shall be placed to the credit of the "Alaska Railroad retirement and disability fund".

Contribution.

49 Stat. 2017.  
5 U. S. C., Supp.  
IV, §§ 745-745r.

Total, Civil Service Commission, \$91,404,000.

#### CIVILIAN CONSERVATION CORPS

For all authorized and necessary expenses to carry into effect the provisions of the Act entitled "An Act to establish a Civilian Conservation Corps, and for other purposes", approved June 28, 1937, including personal services in the District of Columbia and elsewhere; the purchase and exchange of law books, books of reference, periodicals, and newspapers; rents in the District of Columbia and elsewhere; the purchase (including exchange), operation, maintenance and repair of motor-propelled and horse-drawn passenger-carrying vehicles to be used only for official purposes; hire, with or without personal services, of work animals, animal-drawn and motor-propelled vehicles, and watercraft; printing and binding; travel expenses, including not to exceed \$2,000 for expenses of attendance at meetings concerned with the work of the Corps when specifically authorized by the Director; construction, improvement, repair, and maintenance of buildings, but the cost of any building erected hereunder shall not exceed \$25,000; and all other necessary expenses; \$295,000,000, of which \$174,281,000 shall be available only for pay, subsistence, clothing (and repair thereof), transportation, and hospitalization of enrollees; \$3,000,000 shall be immediately available for the purchase of motor-propelled equipment; and \$286,301 may be expended in the District of Columbia for salaries and expenses of the Office of the Director: *Provided*, That an enrollee in the Civilian Conservation Corps, or member, or former member of the Military Establishment, who shall furnish blood from his or her veins for transfusion to the veins of an enrollee or discharged enrollee of the Civilian Conservation Corps undergoing treatment in a Government or civilian hospital authorized to treat such patient, shall be entitled to be paid therefor a reasonable sum not to exceed \$50 for each of such transfusions undergone: *Provided further*, That the Director may authorize the exchange of motor-propelled and horse-drawn vehicles, tractors, road equipment, and boats, and parts, accessories, tires, or equipment thereof, in whole or in part payment for vehicles, tractors, road equipment, or boats, accessories, tires, or equipment of such vehicles, tractors, road equipment, or boats which the corps has purchased.

All expenses.

50 Stat. 319.  
16 U. S. C., Supp.  
IV, ch. 3A.

Vehicles.

Printing and binding.  
Travel expenses; attendance at meetings.  
Building construction, etc.; restriction.

Enrollees.

Office of the Director.  
Post, p. 1303.  
*Provisos.*  
Payment for blood transfusions.

Exchange of vehicles, equipment, etc., authorized.

#### DISTRICT OF COLUMBIA ALLEY DWELLING AUTHORITY

The unexpended balance on June 30, 1939, of the "Conversion of inhabited alleys fund," established pursuant to the provisions of the District of Columbia Alley Dwelling Act, together with all accretions during the fiscal year 1940 to said fund under the provisions of

Funds continued available.

52 Stat. 414.  
48 Stat. 930; 52 Stat. 1186.

50 Stat. 888.  
42 U. S. C., Supp.  
IV, §§ 1401-1430.

said Act and of the United States Housing Act of 1937 shall be available until June 30, 1940, for the purpose of carrying out the provisions of said District of Columbia Alley Dwelling Act.

### EMPLOYEES' COMPENSATION COMMISSION

Salaries and ex-  
penses.  
*Post*, p. 931.

For three Commissioners and other personal services in the District of Columbia, including not to exceed \$1,000 for temporary experts and assistants in the District of Columbia and elsewhere, to be paid at a rate not exceeding \$8 per day, and for personal services in the field; for furniture and other equipment and repairs thereto; law books, books of reference, periodicals; stationery and supplies; traveling expenses; fees and mileage of witnesses; contract stenographic reporting services; rent at the seat of government and elsewhere; and miscellaneous items; \$510,000.

Printing and bind-  
ing.

For all printing and binding for the Employees' Compensation Commission, \$8,400.

Employees' com-  
pensation fund.

39 Stat. 742.  
5 U. S. C. §§ 751-  
796; Supp. IV, ch. 15.

Employees' compensation fund: For the payment of compensation provided by "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916 (5 U. S. C. 785), including medical examinations, traveling and other expenses, and loss of wages payable to employees under sections 21 and 22; all services, appliances, and supplies provided by section 9 as amended, including payments to Army and Navy hospitals; the transportation and burial expenses provided by sections 9 and 11; and advancement of costs for the enforcement of recoveries provided in sections 26 and 27 where necessary, accruing during the fiscal year 1940 or in prior fiscal years, \$4,500,000.

### EMPLOYEES' COMPENSATION FUND, CIVIL WORKS

Administrative ex-  
penses and compen-  
sation payments.

48 Stat. 351.

For administrative expenses (not to exceed \$8,370) and payment of compensation in connection with the administration of the benefits for employees of the Civil Works Administration in accordance with the provisions of the Act entitled "An Act making an additional appropriation to carry out the purposes of the Federal Emergency Relief Act of 1933, for continuation of the Civil Works program, and for other purposes," approved February 15, 1934 (48 Stat. 352), and in connection with the administration of the benefits authorized by title V of the Act entitled "An Act to liberalize the provisions of Public Law Numbered 484, Seventy-third Congress, to effect uniform provisions in laws administered by the Veterans' Administration, to extend the Employees' Compensation Act with limitations to certain World War veterans and other persons, and for other purposes," approved June 29, 1936 (49 Stat. 2035), \$208,870 of the special fund set up on the books of the Treasury pursuant to the provisions of said Act shall be available for expenditure during the fiscal year 1940.

49 Stat. 2035.

### EMPLOYEES' COMPENSATION FUND, EMERGENCY CONSERVATION WORK

Administrative ex-  
penses and compen-  
sation payments.

48 Stat. 1056.

For administrative expenses (not to exceed \$34,040) and payment of compensation in connection with the administration of the benefits for enrollees of the Civilian Conservation Corps in accordance with the provisions of the Act entitled "Emergency Appropriation Act, fiscal year 1935," approved June 19, 1934 (48 Stat., p. 1057), \$677,640 of the special fund set up on the books of the Treasury pursuant to the provisions of said Act shall be available for expenditure during the fiscal year 1940.

## EMPLOYEES' COMPENSATION FUND, EMERGENCY RELIEF

For administrative expenses (not to exceed \$537,000) and the payment of compensation in connection with the administration of the benefits authorized by section 2 of the Act entitled "Emergency Relief Appropriation Act of 1935," approved April 8, 1935 (49 Stat. 115-119), by the "Emergency Relief Appropriation Act of 1936," approved June 22, 1936 (49 Stat. 1608), by the Emergency Relief Appropriation Act of 1937, approved June 29, 1937 (50 Stat. 352-358), and by the Emergency Relief Appropriation Act of 1938, approved June 21, 1938 (52 Stat. 809-815), \$3,200,000 of the special funds set up on the books of the Treasury pursuant to the provisions of the said Acts shall be available for expenditure during the fiscal year 1940.

Total, Employees' Compensation Commission, \$5,018,400.

Administrative expenses and compensation payments.

49 Stat. 115, 1608.

50 Stat. 352.

52 Stat. 809.

Availability of special funds.

## FEDERAL POWER COMMISSION

## SALARIES AND EXPENSES

For every expenditure requisite for and incident to the work of the Federal Power Commission as authorized by law except for the work authorized by the Act of June 28, 1938, entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control and for other purposes" (52 Stat. 1215), including traveling expenses; expenses of attendance at meetings which in the discretion of the Commission are necessary for the efficient discharge of its responsibilities; contract stenographic reporting services; rent outside the District of Columbia; purchase and exchange (not to exceed \$3,000), hire, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, including not more than one such vehicle for general administrative use in the District of Columbia; supplies and office equipment; services; scientific instruments; expenses incurred in packing, crating, drayage and transportation of household effects and other property (not to exceed in any case five thousand pounds) of officers and employees when transferred from one official station to another for permanent duty, when specifically authorized by the Commission; and not exceeding \$6,000 for purchase and exchange of law books, other books of reference, newspapers, periodicals and newspaper clippings; \$2,330,000; of which amount not to exceed \$1,225,000 shall be available for personal services in the District of Columbia, exclusive of not to exceed \$25,000 which may be expended for consultants and special counsel.

Expenses; exception.

52 Stat. 1215.  
33 U. S. C., Supp. IV, ch. 15.

Traveling expenses; attendance at meetings.

Vehicles.

Transportation of household effects, etc.

Consultants and special counsel.

Flood-control expenses.

52 Stat. 1215.  
33 U. S. C., Supp. IV, ch. 15.

For every expenditure requisite for and incident to the work of the Federal Power Commission as authorized by the provisions of the Act of June 28, 1938, entitled "An Act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", (52 Stat. 1215) including travel expenses; contract stenographic reporting services; supplies and office equipment; services; scientific instruments; \$300,000, of which amount not to exceed \$270,000 shall be available for personal services in the District of Columbia.

In all, salaries and expenses, Federal Power Commission, \$2,630,000: *Provided*, That the Commission may procure supplies and services without regard to section 3709 of the Revised Statutes (41 U. S. C. 5) when the aggregate amount involved in any case does not exceed \$50.

*Proviso.*  
Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.

For all printing and binding for the Federal Power Commission, including engraving, lithographing, and photolithographing, \$85,000.

Printing and binding.

Total, Federal Power Commission, \$2,715,000.

## FEDERAL TRADE COMMISSION

Salaries and expenses.

Attendance at meetings.

Witness fees, etc.  
38 Stat. 722.  
15 U. S. C. § 49.  
*Providos.*  
Transfer of funds for scientific investigations.

Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.

Printing and binding.

For five Commissioners, and for all other authorized expenditures of the Federal Trade Commission in performing the duties imposed by law or in pursuance of law, including secretary to the Commission and other personal services, contract stenographic reporting services; supplies and equipment, law books, books of reference, periodicals, garage rentals, traveling expenses, including not to exceed \$900 for expenses of attendance, when specifically authorized by the Commission, at meetings concerned with the work of the Federal Trade Commission, for newspapers and press clippings not to exceed \$600, foreign postage, and witness fees and mileage in accordance with section 9 of the Federal Trade Commission Act; \$2,264,000: *Provided*, That not to exceed \$20,000 of this amount shall be available for transfer to the Bureau of Standards of the Department of Commerce for scientific investigations required by said Commission in connection with its enforcement of said Act: *Provided further*, That the Commission may procure supplies and services without regard to section 3709 of the Revised Statutes (41 U. S. C. 5) when the aggregate amount involved does not exceed \$50.

For all printing and binding for the Federal Trade Commission, \$60,000.

Total, Federal Trade Commission, \$2,324,000.

## FOREIGN-SERVICE PAY ADJUSTMENT

Losses due to foreign currency appreciation.

48 Stat. 466.  
5 U. S. C. § 118c;  
Supp. IV, § 118c.

Foreign-service pay adjustment of officers and employees of the United States in foreign countries due to appreciation of foreign currencies: For the purpose of carrying into effect the provisions of the Act entitled "An Act to authorize annual appropriations to meet losses sustained by officers and employees of the United States in foreign countries due to appreciation of foreign currencies in their relation to the American dollar, and for other purposes", approved March 26, 1934, and for each and every object and purpose specified therein, \$1,400,000, together with not to exceed \$170,000 of the unexpended balance of the appropriation for the fiscal year 1939.

## GENERAL ACCOUNTING OFFICE

Salaries.

Contingent expenses.

*Provido.*  
Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.

Printing and binding.

Salaries: For Comptroller General, Assistant Comptroller General, and other personal services in the District of Columbia and elsewhere, \$4,954,600.

Contingent expenses: For traveling expenses, materials, supplies, equipment, and services; rent of buildings and equipment; furnishing of heat and light; purchase and exchange of books, law books, books of reference, and periodicals, typewriters, calculating machines, and other office appliances, including their development, repairs, and maintenance, including one motor-propelled passenger-carrying vehicle; and miscellaneous items; \$272,140: *Provided*, That section 3709 of the Revised Statutes (41 U. S. C. 5) shall not be construed to apply to any purchase or service rendered for the General Accounting Office when the aggregate amount involved does not exceed the sum of \$50.

For all printing and binding for the General Accounting Office, including monthly and annual editions of selected decisions of the Comptroller General of the United States, \$79,800.

Total, General Accounting Office, \$5,306,540.

## INTERSTATE COMMERCE COMMISSION

## SALARIES AND EXPENSES

General administrative expenses: For eleven Commissioners, secretary, and for all other authorized expenditures necessary in the execution of laws to regulate commerce, including one chief counsel, one director of finance, and one director of traffic at \$10,000 each per annum, field hearings, traveling expenses, and contract stenographic reporting services, \$2,522,000, of which amount not to exceed \$2,328,000 may be expended for personal services in the District of Columbia, exclusive of special counsel, for which the expenditure shall not exceed \$50,000; not exceeding \$3,000 for purchase and exchange of necessary books, reports, and periodicals; not exceeding \$100 in the open market for the purchase of office furniture similar in class or kind to that listed in the general supply schedule.

Regulating accounts: To enable the Interstate Commerce Commission to enforce compliance with section 20 and other sections of the Interstate Commerce Act as amended by the Act approved June 29, 1906 (49 U. S. C. 20), and as amended by the Transportation Act, 1920 (49 U. S. C. 20), including the employment of necessary special accounting agents or examiners, and traveling expenses, \$840,000, of which amount not to exceed \$190,000 may be expended for personal services in the District of Columbia.

Safety of employees: To enable the Interstate Commerce Commission to keep informed regarding and to enforce compliance with Acts to promote the safety of employees and travelers upon railroads; the Act requiring common carriers to make reports of accidents and authorizing investigations thereof; and to enable the Interstate Commerce Commission to investigate and test appliances intended to promote the safety of railway operation, as authorized by the joint resolution approved June 30, 1906 (45 U. S. C. 35), and the provision of the Sundry Civil Act approved May 27, 1908 (45 U. S. C. 36, 37), to investigate, test experimentally, and report on the use and need of any appliances or systems intended to promote the safety of railway operation, inspectors, and for traveling expenses, \$506,000, of which amount not to exceed \$90,000 may be expended for personal services in the District of Columbia.

Signal safety systems: For all authorized expenditures under section 26 of the Interstate Commerce Act, as amended by the Transportation Act, 1920 (49 U. S. C. 26), and the Act of August 26, 1937 (50 Stat. 835), with respect to the provision thereof under which carriers by railroad subject to the Act may be required to install automatic train-stop, or train-control devices which comply with specifications and requirements prescribed by the Commission, including investigations and tests pertaining to block-signal and train-control systems, as authorized by the joint resolution approved June 30, 1906 (45 U. S. C. 35), and including the employment of the necessary engineers, and for traveling expenses, \$102,000, of which amount not to exceed \$40,000 may be expended for personal services in the District of Columbia.

Locomotive inspection: For all authorized expenditures under the provisions of the Act of February 17, 1911, entitled "An Act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances

General administrative expenses.  
*Post*, p. 1305.

Personal services.

Books, furniture, etc.

Regulating accounts.  
34 Stat. 593; 36 Stat. 555; 41 Stat. 493.  
49 U. S. C. § 20.

Safety of railroad employees, etc.

Reports and investigations of accidents.

Safety appliances, etc.

34 Stat. 835.  
45 U. S. C. § 35.  
35 Stat. 325.  
45 U. S. C. §§ 36, 37.

Personal services.

Signal safety systems.  
41 Stat. 498; 50 Stat. 835.  
49 U. S. C. § 26; Supp. IV, § 26.  
Automatic train-control devices.

Block-signal, etc., systems.  
34 Stat. 835.  
45 U. S. C. § 35.

Personal services.

Locomotive inspection.

36 Stat. 913; 38 Stat. 1192; 40 Stat. 616; 43 Stat. 659; 46 Stat. 822.  
45 U. S. C. §§ 22, 30, 27.  
Additional inspectors.

36 Stat. 914; 43 Stat. 659; 46 Stat. 823.  
45 U. S. C. §§ 26, 24.

Personal services.

Valuation of property of carriers.

37 Stat. 701; 40 Stat. 270; 42 Stat. 624.  
49 U. S. C. § 19a.  
48 Stat. 221.  
49 U. S. C. § 19a.

Motor transport regulation.  
49 Stat. 543.  
49 U. S. C., Supp. IV, §§ 301-327.  
Personal services.

Vehicles.

*Proviso.*  
Use of Government transportation requests.

Attendance at meetings.

Transportation of household effects, etc.

*Proviso.*  
Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.

Printing and binding.

thereto" (45 U. S. C. 22), as amended by the Act of March 4, 1915, extending "the same powers and duties with respect to all parts and appurtenances of the locomotive and tender" (45 U. S. C. 30), and amendment of June 7, 1924 (45 U. S. C. 27), providing for the appointment from time to time by the Interstate Commerce Commission of not more than fifteen inspectors in addition to the number authorized in the first paragraph of section 4 of the Act of 1911 (45 U. S. C. 26), and the amendment of June 27, 1930 (45 U. S. C. 24, 26), including such legal, technical, stenographic, and clerical help as the business of the offices of the chief inspector and his two assistants may require and for traveling expenses, \$473,000, of which amount not to exceed \$71,450 may be expended for personal services in the District of Columbia.

**Valuation of property of carriers:** To enable the Interstate Commerce Commission to carry out the objects of the Act entitled "An Act to amend an Act entitled 'An Act to regulate commerce', approved February 4, 1887, and all Acts amendatory thereof, by providing for a valuation of the several classes of property of carriers subject thereto and securing information concerning their stocks, bonds, and other securities", approved March 1, 1913, as amended by the Act of June 7, 1922 (49 U. S. C. 19a), and by the "Emergency Railroad Transportation Act, 1933" (49 U. S. C. 19a), including one director of valuation at \$10,000 per annum, and traveling expenses, \$640,000.

**Motor transport regulation:** For all authorized expenditures necessary to enable the Interstate Commerce Commission to carry out the provisions of the Motor Carrier Act, approved August 9, 1935 (49 U. S. C. 301-327), including one director at \$10,000 per annum and other personal services in the District of Columbia and elsewhere; traveling expenses; supplies; services and equipment; not to exceed \$1,000 for purchase and exchange of books, reports, newspapers, and periodicals; contract stenographic reporting services; purchase (not to exceed \$20,000), exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles when necessary for official use in field work; not to exceed \$5,000 for the purchase of evidence in connection with investigations of apparent violations of said Act, \$3,650,000: *Provided*, That Joint Board members may use Government transportation requests when traveling in connection with the duties as Joint Board members.

Not to exceed \$2,500 of the appropriations herein made for the Interstate Commerce Commission shall be available for expenses, except membership fees, for attendance at meetings concerned with the work of the Commission, and not to exceed \$5,000 shall be available for expenses of packing, crating, drayage, and transportation of household and other personal effects (not to exceed 5,000 pounds in any one case) of officers and employees when transferred from one official station to another for permanent duty when specifically authorized by the Commission.

In all, salaries and expenses, Interstate Commerce Commission, \$8,733,000: *Provided*, That the Commission may procure supplies and services without regard to section 3709 of the Revised Statutes (41 U. S. C. 5) when the aggregate amount involved does not exceed \$50.

For all printing and binding for the Interstate Commerce Commission, including reports in all cases proposing general changes in transportation rates and not to exceed \$17,000 to print and furnish to the States, at cost, report form blanks, and the receipts from such reports and blanks shall be credited to this appropriation, \$175,000:

*Provided*, That no part of this sum shall be expended for printing the Schedule of Sailings required by section 25 of the Interstate Commerce Act.

Total, Interstate Commerce Commission, \$8,908,000.

*Proviso.*  
Restriction.  
41 Stat. 497.  
49 U. S. C. § 25;  
Supp. IV, § 25.

### MARITIME LABOR BOARD

Salaries and expenses: For three Board members and for all other authorized and necessary expenditures of the Maritime Labor Board in performing the duties imposed by law, including contract stenographic reporting services; supplies and equipment; rental of equipment; travel expenses, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (5 U. S. C. 821-833); and not to exceed \$200 for newspapers and periodicals; \$190,000: *Provided*, That the Board may procure supplies and services without regard to section 3709 of the Revised Statutes (41 U. S. C. 5) when the aggregate amount involved does not exceed \$100.

Salaries and expenses.

Travel expenses.  
44 Stat. 688.  
5 U. S. C. §§ 821-833.

*Proviso.*  
Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.

### MOUNT RUSHMORE NATIONAL MEMORIAL COMMISSION

Mount Rushmore National Memorial Commission: For completion of the work, except the inscription, authorized by the provisions of the Mount Rushmore Memorial Act of 1938, \$175,000, together with the unobligated balance of the appropriation for this purpose for the fiscal year 1939: *Provided*, That no part of this appropriation shall be expended for work on any figure, in addition to the four figures authorized by law, upon which work had not commenced as of June 22, 1936: *Provided further*, That no part of this appropriation shall be available for any work on or toward the inscription provided for in section 3 of said Act.

Completion of work;  
exception.  
52 Stat. 694.

*Provisos.*  
Restrictions.

52 Stat. 694.

### NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

For scientific research, technical investigations, and special reports in the field of aeronautics, including the necessary laboratory and technical assistants; contracts for personal services in the making of special investigations and in the preparation of special reports; traveling expenses of members and employees, including not to exceed \$1,500 for expenses, except membership fees, of attendance upon meetings of technical and professional societies; office supplies and other miscellaneous expenses, including technical periodicals and books of reference; equipment, maintenance, and operation of the Langley Memorial Aeronautical Laboratory; purchase, maintenance, operation, and exchange of motor-propelled passenger-carrying vehicles, including not more than one for general administrative use in the District of Columbia; personal services in the field and not to exceed \$123,000 for personal services in the District of Columbia; in all, \$1,717,000, of which amount not to exceed \$2,000 may be expended for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (46 Stat. 818), but not to exceed \$1,700 for any one person.

Scientific research,  
etc.  
*Post*, pp. 628, 1306.

Traveling expenses,  
etc.

Langley Memorial  
Aeronautical Laboratory.  
Vehicles.

Personal services.

Allowances.  
46 Stat. 818.  
5 U. S. C. § 118a.

Printing and binding.

For all printing and binding for the National Advisory Committee for Aeronautics, including all of its offices, laboratories, and services located in Washington, District of Columbia, and elsewhere, \$23,000.

For completing the construction and equipment of the wind tunnel for which an initial appropriation of \$200,000 was provided in the Independent Offices Appropriation Act, 1939, \$340,000; for remodeling an existing wind tunnel, \$100,000; in all, \$440,000.

Wind tunnel, completion and equipment.  
52 Stat. 420.  
Remodeling an existing wind tunnel.

Total, National Advisory Committee for Aeronautics, \$2,180,000.



## NATIONAL ARCHIVES

Salaries and expenses.  
48 Stat. 1122.  
40 U. S. C. ch. 2A;  
Supp. IV, ch. 2A.  
49 Stat. 500.  
44 U. S. C., Supp.  
IV, ch. 8A.  
Supplies and equipment.

Membership fees.

Attendance at meetings.

*Proviso.*  
Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.

Printing and binding.

Salaries and expenses: For the Archivist and for all other authorized expenditures of The National Archives in carrying out the provisions of the Act of June 19, 1934 (48 Stat. 1122-1124; 40 U. S. C. ch. 2A), as amended; the Act of July 26, 1935 (49 Stat. 500-503; U. S. C., Supp. II, title 44, ch. 8A), as amended; including personal services in the District of Columbia; supplies and equipment, including scientific, technical, first-aid, protective, and other apparatus and materials for the arrangement, titling, scoring, repair, processing, editing, duplication, reproduction, and authentication of photographic and other records (including motion-picture and other films and sound recordings) in the custody of the Archivist; purchase and exchange of books, including law books, books of reference, maps, and charts; contract stenographic reporting services; purchase of newspapers, periodicals, and press clippings; not to exceed \$100 for payment in advance when authorized by the Archivist for library membership in societies whose publications are available to members only or to members at a price lower than to the general public; travel expenses, including not to exceed \$1,000 for the expenses of attendance at meetings concerned with the work of The National Archives; repairs to equipment; purchase, exchange, maintenance and operation of motor vehicles; and all other necessary expenses, \$850,000: *Provided*, That section 3709 of the Revised Statutes (41 U. S. C. 5) shall not be construed to apply to any purchase or service rendered for The National Archives when the aggregate cost involved does not exceed the sum of \$50.

Printing and binding: For all printing and binding for The National Archives, \$14,000.

Total, The National Archives, \$864,000.

## NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Salaries and expenses.  
*Post*, p. 1306.  
George Washington Memorial Parkway.

46 Stat. 432.

Personal services.

5 U. S. C. §§ 661-674;  
Supp. IV, §§ 673, 673c.

Acquisition of land.  
Vehicles.

For each and every purpose requisite for and incident to the work of the National Capital Park and Planning Commission necessary toward carrying into effect the provisions of the Act entitled "An Act for the acquisition, establishment, and development of the George Washington Memorial Parkway along the Potomac from Mount Vernon and Fort Washington to the Great Falls, and to provide for the acquisition of lands in the District of Columbia and the States of Maryland and Virginia requisite to the comprehensive park, parkway, and playground system of the National Capital", approved May 29, 1930; personal services, including real estate and other technical services, at rates of pay to be fixed by the Commission and not exceeding those usual for similar services and without reference to civil-service rules and the Classification Act of 1923, as amended; travel expenses; expenses of surveys and searching of titles, purchase of options, and all other costs incident to the acquisition of land, operation and maintenance of passenger-carrying vehicles for official use, \$1,000,000, to be expended in carrying out the provisions of section 4 of said Act, and to remain available until expended.

## NATIONAL LABOR RELATIONS BOARD

Salaries and expenses.

Salaries and expenses: For three Board members, and for all other authorized and necessary expenditures of the National Labor Relations Board in performing the duties imposed by law or in pursuance of law, including rent and personal services in the District of Columbia and elsewhere; repairs and alterations; communications; contract stenographic reporting services; law books; books of reference; news-

papers; periodicals; operation, maintenance, and repair of one automobile; \$3,039,600: *Provided*, That the Board may procure supplies and services without regard to section 3709 of the Revised Statutes (41 U. S. C. 5) when the aggregate amount involved does not exceed \$50.

Printing and binding: For all printing and binding for the National Labor Relations Board in Washington and elsewhere, \$150,000.

Total, National Labor Relations Board, \$3,189,600.

*Proviso.*  
Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.

Printing and binding.

## NATIONAL MEDIATION BOARD

For three members of the Board, and for other authorized expenditures of the National Mediation Board in performing the duties imposed by law, including contract stenographic reporting services; supplies and equipment; not to exceed \$200 for newspapers, books of reference, and periodicals, \$148,700, of which amount not to exceed \$115,000 may be expended for personal services in the District of Columbia.

Arbitration boards: To enable the National Mediation Board to pay necessary expenses of arbitration boards, including compensation of members and employees of such boards, together with their necessary traveling expenses and expenses actually incurred for subsistence while so employed, and printing of awards, together with proceedings and testimony relating thereto, as authorized by the Railway Labor Act, including also contract stenographic reporting service, and rent of quarters when suitable quarters cannot be supplied in any Federal building, the unexpended balance of previous appropriations for this purpose shall be available.

Emergency boards: For expenses of emergency boards appointed by the President to investigate and report respecting disputes between carriers and their employees, as authorized by section 10, Railway Labor Act, approved May 20, 1926 (45 U. S. C. 160), the unexpended balance of previous appropriations for this purpose shall be available.

For all printing and binding for the National Mediation Board, \$2,300.

Salaries and expenses.

Arbitration boards.

44 Stat. 577.  
45 U. S. C. §§ 151-164; Supp. IV, §§ 181-188.

Unexpended balances available.

Emergency boards.

44 Stat. 555.  
45 U. S. C. § 160.

Printing and binding.

## NATIONAL RAILROAD ADJUSTMENT BOARD

For authorized expenditures of the National Railroad Adjustment Board, in performing the duties imposed by law, including contract stenographic reporting services and supplies and equipment, \$188,930, of which \$35,000 shall be available only for services of referees and not more than \$108,330 may be expended for other personal services.

For all printing and binding for the National Railroad Adjustment Board, \$40,000.

Total National Mediation Board, \$379,930.

Expenses.

Printing and binding.

## PROTECTION OF INTERESTS OF THE UNITED STATES IN MATTERS AFFECTING OIL LANDS IN FORMER NAVAL RESERVES

Protection of interests of the United States in matters affecting oil lands in former naval reserves: For compensation and expenses of special counsel and for all other expenses, including employment of experts and other assistants at such rates as may be authorized or approved by the President, in connection with carrying into effect the joint resolution entitled "Joint resolution directing the Secretary of the Interior to institute proceedings touching sections 16 and 36, township 30 south, range 23 east, Mount Diablo meridian", approved

Compensation and expenses.

43 Stat. 15.

*Proviso.*  
Pay restriction.

February 21, 1924, \$26,500, to be expended by the President: *Provided*, That no part of this sum shall be used to compensate any person at a rate in excess of \$10,000 per annum.

## RAILROAD RETIREMENT BOARD

Salaries and ex-  
penses.

Attendance at meet-  
ings.

Persons in an ad-  
visory capacity, per  
diem, etc.

Supplies, etc.

Library member-  
ship fees.

Vehicles.

*Proviso.*  
Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.

Railroad retirement  
account.

49 Stat. 967; 50 Stat.  
307.  
45 U. S. C., Supp.  
IV, §§ 215-228r.

*Proviso.*  
Availability.

Printing and bind-  
ing.

For salaries and expenses, Railroad Retirement Board: For three Board members and for all other authorized and necessary expenditures of the Railroad Retirement Board in performing the duties imposed by law or in pursuance of law, including rent and personal and other services in the District of Columbia and elsewhere; traveling expenses, including not to exceed \$1,000 for expenses of attendance at meetings concerned with the work of the Board when specifically authorized by the Board; not to exceed \$2,500 for payment of actual transportation expenses, and per diem (not to exceed \$10) in lieu of subsistence and other expenses, of persons serving while away from their homes without other compensation in an advisory capacity to the Railroad Retirement Board; repairs and alterations; contract stenographic reporting services; office appliances and labor-saving devices; supplies and equipment (including photographic equipment); not to exceed \$5,000 for law books, books of reference, newspapers, press clippings, periodicals, and for payment in advance when authorized by the Board for library membership in organizations which issue publications to members only or to members at a price lower than to the general public; purchase (including exchange) of three motor-propelled passenger-carrying vehicles; operation, maintenance, and repair of motor-propelled passenger-carrying vehicles to be used only for official purposes in the District of Columbia and elsewhere; and other necessary expenses; \$3,200,000: *Provided*, That the Board may procure supplies and services without regard to section 3709 of the Revised Statutes (41 U. S. C. 5) when the aggregate amount does not exceed \$50.

Railroad retirement account: For an amount sufficient as an annual premium for the payments required under the Railroad Retirement Act, approved August 29, 1935, and the Railroad Retirement Act, approved June 24, 1937, and authorized to be appropriated to the railroad retirement account established under section 15 (a) of the latter Act, \$120,150,000: *Provided*, That such amount shall be available until expended for making payments required under said retirement Acts, and the amount not required for current payments shall be invested by the Secretary of the Treasury in accordance with the provisions of said Railroad Retirement Act of June 24, 1937.

For printing and binding for the Railroad Retirement Board, \$54,000.

Total, Railroad Retirement Board, \$123,404,000.

## RURAL ELECTRIFICATION ADMINISTRATION

Salaries and ex-  
penses.

49 Stat. 1363.  
7 U. S. C., Supp.  
IV, § 901.

Attendance at meet-  
ings.

Supplies, etc.

Salaries and expenses: For administrative expenses and expenses of studies, investigations, publications, and reports necessary to carry out the provisions of the Rural Electrification Act of 1936, approved May 20, 1936, including the salary of the Administrator and other personal services in the District of Columbia and elsewhere; traveling expenses, including expenses of attendance of officers and employees at meetings when determined by the Administrator to be necessary in furthering the work of the Administration; contract stenographic reporting services; expert witness fees; materials, supplies, equipment, and services; rentals, including buildings and parts

of buildings and garages, in the District of Columbia and elsewhere; purchase and exchange of books, law books, books of reference, directories, and periodicals; not to exceed \$200 for newspapers and press clippings; financial and credit reports; purchase, rental, exchange, operation, maintenance, and repair of typewriters, calculating machines, and other office appliances; operation, maintenance, and repair of one motor-propelled passenger-carrying vehicle to be used only for official purposes; and all other expenses necessary to administer said Act, \$2,700,000: *Provided*, That section 3709 of the Revised Statutes (41 U. S. C. 5) shall not be construed to apply to any purchase or service rendered for the Rural Electrification Administration when the aggregate amount involved does not exceed \$100.

Printing and binding: For printing and binding for the Rural Electrification Administration, \$90,000.

Loans, Rural Electrification Administration: For loans in accordance with sections 3, 4, and 5, and the purchase of property in accordance with section 7 of the Rural Electrification Act of May 20, 1936 (7 U. S. C. 901-914), \$40,000,000.

Total, Rural Electrification Administration, \$42,790,000.

### SECURITIES AND EXCHANGE COMMISSION

For five Commissioners, and other personal services in the District of Columbia, and for all other authorized expenditures of the Securities and Exchange Commission in performing the duties imposed by law or in pursuance of law, including employment of experts when necessary; contract stenographic reporting services; supplies and equipment; purchase and exchange of law books, books of reference, directories, periodicals, newspapers, and press clippings; travel expenses, including the expense of attendance, when specifically authorized by the Commission, at meetings concerned with the work of the Securities and Exchange Commission; garage rental; foreign postage; mileage and witness fees; rent of quarters outside the District of Columbia; rental of equipment; purchase, operation, maintenance, and repair of one motor-propelled passenger-carrying vehicle; and other necessary expenses; \$5,300,000: *Provided*, That section 3709 of the Revised Statutes (41 U. S. C. 5) shall not be construed to apply to any purchase or service rendered for the Securities and Exchange Commission when the aggregate cost involved does not exceed the sum of \$50.

For all printing and binding for the Securities and Exchange Commission, \$70,000.

Total, Securities and Exchange Commission, \$5,370,000.

### SMITHSONIAN INSTITUTION

For expenses of the general administrative office; for the system of international exchanges between the United States and foreign countries; for continuing ethnological researches among the American Indians and the natives of Hawaii and the excavation and preservation of archeologic remains; for maintenance of the Astrophysical Observatory, including assistants, and making necessary observations in high altitudes; for cases, furniture, fixtures, and appliances required for the exhibition and safekeeping of collections; and for administration of the National Collection of Fine Arts; including personal services, purchase of books of reference and periodicals, traveling expenses, uniforms for guards, supplies and equipment, preparation of manuscripts, drawings, and illustrations, supplying of heating, lighting, electrical, telegraphic, and telephone service,

Vehicle.

*Proviso.*  
Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.

Printing and binding.

Loans and purchase of property.  
49 Stat. 1364.  
7 U. S. C., Supp. IV, §§ 903-905, 907.

Salaries and expenses.  
*Post*, p. 1306.

Attendance at meetings.

Rent.

*Proviso.*  
Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.

Printing and binding.

Administrative expenses.

Ethnological researches.

Astrophysical Observatory.

National Collection of Fine Arts.

repairs and alterations of buildings, shops, sheds, and approaches, and other necessary expenses, \$356,620.

Preservation of collections: For continuing preservation, exhibition, and increase of collections from the surveying and exploring expeditions of the Government, and from other sources, including personal services, traveling expenses, purchasing and supplying uniforms to guards and elevator conductors, postage stamps and foreign postal cards and all other necessary expenses, and not exceeding \$5,500 for preparation of manuscripts, drawings, and illustrations for publications, and not exceeding \$3,000 for purchase of books, pamphlets, and periodicals, \$628,800.

Printing and binding: For all printing and binding for the Smithsonian Institution, including all of its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, \$73,000, of which not to exceed \$8,000 shall be available for printing the report of the American Historical Association.

American Historical Association report.

Personal services. Total, Smithsonian Institution, \$1,058,420, of which amount not to exceed \$871,000 may be expended for personal services in the District of Columbia.

### SOCIAL SECURITY BOARD

Salaries and expenses. 49 Stat. 620-629, 635, 639, 645.  
42 U. S. C., Supp. IV, § 301.  
*Post*, p. 1304.

Salaries and expenses: For all authorized and necessary administrative expenses of the Social Security Board in performing the duties imposed upon it in titles I, II, III, IV, VII, IX, and X of the Social Security Act, approved August 14, 1935, including three Board members, an executive director at a salary of \$9,500 a year, and other personal services in the District of Columbia and elsewhere; travel expenses, including not to exceed \$10,000 for expenses of attendance at meetings concerned with the work of the Board when specifically authorized by the chairman and not to exceed \$5,000 for travel in foreign countries; not to exceed \$10,000 for payment of actual transportation expenses and not to exceed \$10 per diem in lieu of subsistence and other expenses of persons serving while away from their home, without other compensation, in an advisory capacity to the Social Security Board; expenses of packing, crating, drayage, and transportation of household goods and other personal effects (not to exceed in any case five thousand pounds) of officers and employees when transferred from one official station to another for permanent duty, when specifically authorized by the Board; supplies; reproducing, photographing, and all other equipment, office appliances, and labor-saving devices; services; advertising, postage, telephone, telegraph, and not to exceed \$900 for teletype news services and tolls; newspapers and press clippings (not to exceed \$1,500), periodicals, manuscripts and special reports, purchase and exchange of law books and other books of reference; library membership fees or dues in organizations which issue publications to members only or to members at a lower price than to others, payment for which may be made in advance; alterations and repairs; rentals, including garages, in the District of Columbia or elsewhere; purchase and exchange, not to exceed \$25,000, operation, maintenance, and repair of motor-propelled passenger-carrying vehicles to be used only for official purposes in the District of Columbia and in the field; and miscellaneous items, including those for public instruction and information deemed necessary by the Board, \$22,000,000: *Provided*, That section 3709 of the Revised Statutes (41 U. S. C. 5) shall not be construed to apply to any purchase by the Board when the aggregate amount involved does not exceed the sum of \$100: *Provided further*, That the Board may expend not to exceed \$25,000 of the sum herein appropriated for temporary employment of persons or

Travel expenses.

Transportation and per diem.

Transportation of household goods, etc.

Supplies, services, etc.

Library membership fees.

Vehicles.

*Provided*.  
Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.

Temporary employees, special accounting, etc.

organizations, by contract or otherwise, for special accounting, actuarial, statistical, translating and reporting, engineering, and organizational services determined necessary by the Board, without regard to section 3709 of the Revised Statutes (41 U. S. C. 5), and the provisions of other laws applicable to the employment and compensation of officers and employees of the United States: *Provided further*, That no salary shall be paid for personal services from the money herein appropriated under the heading "Social Security Board" in excess of the rates allowed by the Classification Act of 1923, as amended, for similar services: *Provided further*, That this latter proviso shall not apply to the salaries of the Board members nor to the compensation of persons or organizations temporarily employed for the special services described in the second proviso of this paragraph.

For printing and binding for the Social Security Board, \$1,000,000.

Grants to States for old-age assistance: For grants to States for assistance to aged needy individuals, as authorized in title I of the Social Security Act, approved August 14, 1935, \$225,000,000, of which sum such amount as may be necessary shall be available for grants under such title I for any period in the fiscal year 1939 subsequent to March 31, 1939: *Provided*, That payments to States for the fourth quarter of the fiscal year 1939 and for any quarter in the fiscal year 1940 under such title I may be made with respect to any State plan approved under such title I by the Social Security Board prior to or during such period, but no such payment shall be made with respect to any plan for any period prior to the quarter in which such plan was submitted to the Board for approval.

Grants to States for unemployment compensation administration: For grants to States for unemployment compensation administration, as authorized in title III of the Social Security Act, approved August 14, 1935, including rentals in the District of Columbia and elsewhere, \$49,000,000.

Grants to States for aid to dependent children: For grants to States for the purpose of enabling each State to furnish financial assistance to needy dependent children, as authorized in title IV of the Social Security Act, approved August 14, 1935, \$45,000,000, of which sum such amount as may be necessary shall be available for grants under such title IV for any period in the fiscal year 1939 subsequent to March 31, 1939: *Provided*, That payments to States for the fourth quarter of the fiscal year 1939 and for any quarter in the fiscal year 1940 under such title IV may be made with respect to any State plan approved under such title IV by the Social Security Board prior to or during such period, but no such payment shall be made with respect to any plan for any period prior to the quarter in which such plan was submitted to the Board for approval.

Grants to States for aid to the blind: For grants to States for the purpose of enabling each State to furnish financial assistance to needy individuals who are blind, as authorized in title X of the Social Security Act, approved August 14, 1935, \$8,000,000, of which sum such amount as may be necessary shall be available for grants under such title X for any period in the fiscal year 1939 subsequent to March 31, 1939: *Provided*, That payments to States for the fourth quarter of the fiscal year 1939 and for any quarter in the fiscal year 1940 under such title X may be made with respect to any State plan approved under such title X by the Social Security Board prior to or during such period, but no such payment shall be made with respect to any plan for any period prior to the quarter in which such plan was submitted to the Board for approval.

R. S. § 3709.  
41 U. S. C. § 5.

Salary limitation.  
5 U. S. C. §§ 661-674;  
Supp. IV, §§ 673, 673c.

Exceptions.

Printing and binding.  
Grants to States.  
Old-age assistance.  
49 Stat. 620.  
42 U. S. C., Supp.  
IV, § 301.  
Availability.

*Proviso.*  
Payments restricted.

Unemployment compensation administration.  
49 Stat. 626.  
42 U. S. C., Supp.  
IV, § 501.

Aid to dependent children.  
49 Stat. 627.  
42 U. S. C., Supp.  
IV, § 601.  
Availability.

*Proviso.*  
Payments restricted.

Aid to the blind.  
49 Stat. 645.  
42 U. S. C., Supp.  
IV, § 1201.

Availability.

*Proviso.*  
Payments restricted.

Designated funds interchangeable.

Approval of transfer.

The appropriations herein made for "Grants to States for old-age assistance", "Grants to States for aid to dependent children", and "Grants to States for aid to the blind", shall be available interchangeably for transfer of appropriations, but no such transfer shall be made except upon approval of the Director of the Bureau of the Budget.

Total, Social Security Board, \$350,000,000.

#### TARIFF COMMISSION

Salaries and expenses.

Contract reporting services.  
46 Stat. 696.  
19 U. S. C. §§ 1330-1341; Supp. IV, §§ 1330, 1334, 1340.  
Attendance at meetings.

Living quarters.

46 Stat. 818.  
5 U. S. C. § 118a.  
*Providos.*  
Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.  
Salary restriction.  
46 Stat. 701.  
19 U. S. C. §§ 1336-1338.

Printing and binding.

For salaries and expenses of the Tariff Commission, including personal services in the District of Columbia and elsewhere, purchase and exchange of labor-saving devices, the purchase and exchange of professional and scientific books, law books, books of reference, gloves and other protective equipment for photostat and other machine operators, rent in the District of Columbia and elsewhere, subscriptions to newspapers and periodicals, and contract stenographic reporting services, as authorized by sections 330 to 341 of the Tariff Act of 1930, approved June 17, 1930 (19 U. S. C. 1330-1341), \$912,000, of which amount not to exceed \$2,500 may be expended for expenses, except membership fees, of attendance at meetings concerned with subjects under investigation by the Commission; and not to exceed \$7,500 for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (5 U. S. C. 118a), but not to exceed \$1,700 for any one person: *Provided*, That the Commission may procure supplies and services without regard to section 3709 of the Revised Statutes (41 U. S. C. 5) when the aggregate amount involved does not exceed \$50: *Provided further*, That no part of this appropriation shall be used to pay the salary of any member of the Tariff Commission who shall hereafter participate in any proceedings under sections 336, 337, and 338 of the Tariff Act of 1930, wherein he or any member of his family has any special, direct, and pecuniary interest, or in which he has acted as attorney or special representative.

For all printing and binding for the Tariff Commission, \$15,000.  
Total, Tariff Commission, \$927,000.

#### TENNESSEE VALLEY AUTHORITY

Continuation of construction.  
48 Stat. 58; 49 Stat. 1075.  
16 U. S. C. ch. 12A; Supp. IV, ch. 12A.  
Designated dams.

Preliminary investigations, Coulter Shoals.

Printing and binding.

Salaries and expenses.

*Proviso.*  
Accounting.

For the purpose of carrying out the provisions of the Act entitled "The Tennessee Valley Authority Act of 1933", approved May 18, 1933, as amended by the Act approved August 31, 1935 (16 U. S. C. ch. 12a), including the continued construction of Pickwick Landing Dam, Guntersville Dam, Chickamauga Dam, Hiwassee Dam, Gilbertsville Dam, and for construction of a dam at or near Watts Bar on the Tennessee River, Tennessee, and for preliminary investigations of a site for a dam at or near Coulter Shoals on the Tennessee River, Tennessee, and the acquisition of necessary land, the clearing of such land, relocation of highways, and the construction or purchase of transmission lines and other facilities, and all other necessary works authorized by such Acts, and for printing and binding, law books, books of reference, newspapers, periodicals, purchase, maintenance, and operation of passenger-carrying vehicles, rents in the District of Columbia and elsewhere, and all necessary salaries and expenses connected with the organization, operation, and investigations of the Tennessee Valley Authority, and for examination of estimates of appropriations and activities in the field, fiscal year 1940, \$39,003,000: *Provided*, That this appropriation and any unexpended balance on June 30, 1939, in the "Tennessee Valley Authority

fund, 1939", and the receipts of the Tennessee Valley Authority from all sources during the fiscal year 1940 (except as limited by section 26 of the Tennessee Valley Authority Act of 1933, as amended), shall be covered into and accounted for as one fund to be known as the "Tennessee Valley Authority fund, 1940", to remain available until June 30, 1940, and to be available for the payment of obligations chargeable against the "Tennessee Valley Authority fund, 1939", and for contractual obligations for the procurement of equipment as authorized in the Independent Offices Appropriation Act, fiscal year 1939.

48 Stat. 71; 49 Stat. 1079.  
16 U. S. C., Supp. IV, § 831y.

Payment of obligations.  
52 Stat. 428.

### THOMAS JEFFERSON MEMORIAL COMMISSION

For carrying out the provisions of the Act entitled "An Act to authorize the execution of plans for a permanent memorial to Thomas Jefferson", approved June 3, 1936 (49 Stat. 1397), including continuation of construction of such memorial, \$2,000,000, to remain available until expended.

Expenses, execution of plans.

49 Stat. 1397.

### UNITED STATES MARITIME COMMISSION

To increase the construction fund established by the "Merchant Marine Act, 1936," \$100,000,000, of which not to exceed \$3,990,000 shall be available for administrative expenses of the United States Maritime Commission, including, but not limited to, the following: Personal services in the District of Columbia and elsewhere; travel expenses in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended, including not to exceed \$2,000 for expenses of attendance, when specifically authorized by the Chairman of the Commission, at meetings concerned with work of the Commission; printing and binding; law books, books of reference, and not to exceed \$2,500 for periodicals and newspapers; procurement of supplies, equipment, and services, including telephone, telegraph, radio, and teletype services; purchase and exchange (including one at not to exceed \$1,500), maintenance, repair, and operation of passenger-carrying automobiles for official use; type-writing and adding machines, and other labor-saving devices, including their repair and exchange; rent, including heat, light, and power, in the District of Columbia and elsewhere; expenses (not exceeding \$10,000) of packing, crating, drayage, and transportation of household effects and other personal property (not exceeding 5,000 pounds in any one case) of employees when transferred from one official station to another for permanent duty, upon specific authorization by the Chairman of the Commission; expenses incurred in preparing and transporting, to their former homes in this country or to a place not more distant, the remains of employees who may die while in the discharge of their official duties abroad or in transit thereto or therefrom, and for the ordinary expenses of interment of such remains; allowances for living quarters, including heat, fuel, and light, as authorized by the Act of June 26, 1930; and including not to exceed \$75,000 for the employment, on a contract or fee basis, of persons, firms, or corporations for the performance of special services, including accounting, legal, actuarial, and statistical services, without regard to section 3709 of the Revised Statutes.

Construction fund.  
49 Stat. 1985.  
46 U. S. C., Supp. IV, ch. 27.

Travel expenses.

44 Stat. 688.  
5 U. S. C. ch. 16.

Printing and binding.

Vehicles.

Labor-saving devices.

Transportation of household effects, etc.

Burial, etc., expenses.

46 Stat. 818.  
5 U. S. C. § 118a.

R. S. § 3709.  
41 U. S. C. § 5.

Contracts.

50 Stat. 759.

49 Stat. 1985.

In addition to the contract authorization in the amount of \$115,000,000 contained in the "Third Deficiency Appropriation Act, fiscal year 1937", the Commission is authorized to enter into contract for further carrying out the provisions of the Merchant Marine Act, 1936, in an amount not to exceed \$230,000,000.



## VETERANS' ADMINISTRATION

Administration,  
medical, hospital, and  
domiciliary services.  
Salaries and ex-  
penses.

46 Stat. 1016.  
38 U. S. C. §§ 11-  
11f.

Provisions.  
Attendance at meet-  
ings, etc.

Services, rentals,  
traveling expenses,  
etc.

Subsistence, etc.

Wearing apparel.

Vehicles.

School transporta-  
tion.

Actuarial services.

Transfer of funds.

Recreational facili-  
ties.

Burial, etc., ex-  
penses.

Purchase of tobacco.

Administration, medical, hospital, and domiciliary services: For all salaries and expenses of the Veterans' Administration, including the expenses of maintenance and operation of medical, hospital, and domiciliary services of the Veterans' Administration, in carrying out the duties, powers, and functions devolving upon it pursuant to the authority contained in the Act entitled "An Act to authorize the President to consolidate and coordinate governmental activities affecting war veterans", approved July 3, 1930 (38 U. S. C. 11-11f), and any and all laws for which the Veterans' Administration is now or may hereafter be charged with administering, \$97,000,000: *Provided*, That not to exceed \$3,500 of this amount shall be available for expenses, except membership fees, of employees, detailed by the Administrator of Veterans' Affairs to attend meetings of associations for the promotion of medical science and conventions of organized war veterans: *Provided further*, That this appropriation shall be available also for personal services and rentals in the District of Columbia and elsewhere, including traveling expenses; examination of estimates of appropriations in the field, including actual expenses of subsistence or per diem allowance in lieu thereof; for expenses incurred in packing, crating, drayage, and transportation of household effects and other property, not exceeding in any one case five thousand pounds, of employees when transferred from one official station to another for permanent duty and when specifically authorized by the Administrator; furnishing and laundering of such wearing apparel as may be prescribed for employees in the performance of their official duties; purchase and exchange of law books, books of reference, periodicals, and newspapers; for passenger-carrying and other motor vehicles, including purchase, maintenance, repair, and operation of same, including not more than two passenger automobiles for general administrative use of the central office in the District of Columbia, one of which may be replaced during the fiscal year 1940 at a cost, including exchange, of not to exceed \$1,500; and notwithstanding any provisions of law to the contrary, the Administrator is authorized to utilize Government-owned automotive equipment in transporting children of Veterans' Administration employees located at isolated stations to and from school under such limitations as he may by regulation prescribe; and notwithstanding any provisions of law to the contrary, the Administrator is authorized to expend not to exceed \$2,000 of this appropriation for actuarial services pertaining to the Government life-insurance fund, to be obtained by contract, without obtaining competition, at such rates of compensation as he may determine to be reasonable; for allotment and transfer to the Public Health Service, the War, Navy, and Interior Departments, for disbursement by them under the various headings of their applicable appropriations, of such amounts as are necessary for the care and treatment of beneficiaries of the Veterans' Administration, including minor repairs and improvements of existing facilities under their jurisdiction necessary to such care and treatment; for expenses incidental to the maintenance and operation of farms; for recreational articles and facilities at institutions maintained by the Veterans' Administration; for administrative expenses incidental to securing employment for war veterans; for funeral, burial, and other expenses incidental thereto for beneficiaries of the Veterans' Administration accruing during the year for which this appropriation is made or prior fiscal years: *Provided further*, That the appropriations herein made for the care and maintenance of veterans in hospitals or homes under the jurisdiction of the Veterans'

Administration shall be available for the purchase of tobacco to be furnished, subject to such regulations as the Administrator of Veterans' Affairs shall prescribe, to veterans receiving hospital treatment or domiciliary care in Veterans' Administration hospitals or homes: *Provided further*, That this appropriation shall be available for continuing aid to State or Territorial homes for the support of disabled volunteer soldiers and sailors, in conformity with the Act approved August 27, 1888 (24 U. S. C. 134), as amended, for those veterans eligible for admission to Veterans' Administration facilities for domiciliary care.

No part of this appropriation shall be expended for the purchase of any site for or toward the construction of any new hospital or home, or for the purchase of any hospital or home; and not more than \$2,500,000 of this appropriation may be used to repair, alter, improve, or provide facilities in the several hospitals and homes under the jurisdiction of the Veterans' Administration either by contract or by the hire of temporary employees and the purchase of materials.

For printing and binding for the Veterans' Administration, including all its bureaus and functions located in Washington, District of Columbia, and elsewhere, \$120,000.

Pensions: For the payment of compensation, pensions, gratuities, and allowances, now authorized under any Act of Congress, or regulation of the President based thereon, or which may hereafter be authorized, including emergency officers' retirement pay and annuities, the administration of which is now or may hereafter be placed in the Veterans' Administration, accruing during the fiscal year for which this appropriation is made or in prior fiscal years, \$432,063,000, to be immediately available.

For military and naval insurance accruing during the fiscal year for which this appropriation is made or in prior fiscal years, \$26,791,000.

Adjusted service and dependent pay: For payment of adjusted-service credits of not more than \$50 each and the quarterly installments due to dependents of deceased veterans, as provided in the Act of May 19, 1924, as amended (38 U. S. C. 631-632, 661-670; U. S. C., Supp. I, secs. 662-664), \$1,104,000, to be immediately available and to remain available until expended.

Hospital and domiciliary facilities: For hospital and domiciliary facilities, \$4,015,000 to remain available until expended: *Provided*, That this amount shall be available for use by the Administrator of Veterans' Affairs, with the approval of the President, for extending any of the facilities under the jurisdiction of the Veterans' Administration or for any of the purposes set forth in sections 1 and 2 of the Act approved March 4, 1931 (38 U. S. C. 438j): *Provided further*, That not to exceed 3 per centum of this amount shall be available for the employment in the District of Columbia and in the field of necessary technical and clerical assistants to aid in the preparation of plans and specifications for the projects as approved hereunder and in the supervision of the execution thereof, and for traveling expenses, rentals in the District of Columbia, field office equipment, and supplies in connection therewith.

Total, Veterans' Administration, \$561,093,000: *Provided*, That no part of this appropriation shall be expended for the purchase of oleomargarine or butter substitutes except for cooking purposes.

Aid to State, etc., homes.

25 Stat. 450.  
24 U. S. C. § 134.

Use for new construction, etc., forbidden.

Repair, etc., of facilities.

Printing and binding.

Pensions.

Emergency officers' retirement pay, etc.

Military and naval insurance.

Adjusted service and dependent pay.

43 Stat. 125.  
38 U. S. C. §§ 631-632, 661-670; Supp. IV, §§ 662-664.

Hospital and domiciliary facilities.  
*Provisos.*  
Extension of facilities.

46 Stat. 1550, 1551.  
38 U. S. C. §§ 438j, 438k.  
Technical and clerical assistants.

*Proviso.*  
Butter substitutes.

## EMERGENCY AGENCIES

## FEDERAL HOME LOAN BANK BOARD

Administrative ex-  
penses.  
47 Stat. 725.  
12 U. S. C. §§ 1421-  
1449; Supp. IV, ch. 11.  
Travel expenses.  
44 Stat. 688.  
5 U. S. C. §§ 821-833.

Printing and bind-  
ing.

Supplies, etc.

Use of designated  
services and facilities.

*Provisos.*  
Nonadministrative  
expenses.

Payment.

47 Stat. 725.  
12 U. S. C. §§ 1421-  
1449; Supp. IV, ch. 11.

For the administrative expenses of the Federal Home Loan Bank Board, established by the Federal Home Loan Bank Act of July 22, 1932 (47 Stat. 725), including personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (5 U. S. C. 821-833); expenses (not to exceed \$2,500) of attendance at meetings concerned with the work of the Board when specifically authorized by the Board; printing and binding; law books, books of reference, and not to exceed \$500 for periodicals and newspapers; procurement of supplies, equipment, and services; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; rent outside of the District of Columbia; payment, when specifically authorized by the Board, of actual transportation expenses and not to exceed \$10 per diem in lieu of subsistence and other expenses of persons serving, while away from their homes, without other compensation from the United States, in an advisory capacity to the Board; use of the services and facilities of the Home Owners' Loan Corporation and the Federal Savings and Loan Insurance Corporation; and all other necessary administrative expenses, \$1,400,000, payable from assessments upon the Federal home loan banks and receipts of the Federal Home Loan Bank Board from other sources for the fiscal year 1940 and prior fiscal years: *Provided*, That all necessary expenses (including services performed on a contract or fee basis, but not including other personal services) in connection with the sale, issuance, and retirement of, or payment of interest on, debentures or bonds, under said Federal Home Loan Bank Act, as amended, shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That except for the limitations in amounts hereinbefore specified, and the restrictions in respect to travel expenses, the administrative expenses and other obligations of the Board shall be incurred, allowed, and paid in accordance with the provisions of said Act of July 22, 1932, as amended (12 U. S. C. 1421-1449).

## HOME OWNERS' LOAN CORPORATION

Administrative ex-  
penses.  
48 Stat. 128.  
12 U. S. C. §§ 1461-  
1468; Supp. IV, ch. 12.

Travel expenses.  
44 Stat. 688.  
5 U. S. C. §§ 821-833.

Printing and bind-  
ing.

Supplies.  
Vehicles.

Use of designated  
services.

*Provisos.*  
Nonadministrative  
expenses.

Not to exceed \$24,500,000 of the funds of the Home Owners' Loan Corporation, established by the Home Owners' Loan Act of 1933 (48 Stat. 128), shall be available during the fiscal year 1940 for administrative expenses of the Corporation, including personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (5 U. S. C. 821-833); expenses (not to exceed \$5,000) of attendance at meetings concerned with the work of the Corporation when specifically authorized by the Board of Directors; printing and binding; lawbooks, books of reference, and not to exceed \$500 for periodicals and newspapers; procurement of supplies, equipment and services; maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, to be used only for official purposes; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; rent in the District of Columbia and elsewhere; use of the services and facilities of the Federal Home Loan Bank Board, Federal home-loan banks, and Federal Reserve banks; and all other necessary administrative expenses: *Provided*, That all necessary expenses (including services performed on a force account, contract or fee

basis, but not including other personal services) in connection with the acquisition, protection, operation, maintenance, improvement, or disposition of real or personal property belonging to the Corporation or in which it has an interest, shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That except for the limitations in amounts hereinbefore specified, and the restrictions in respect to travel expenses, the administrative expenses and other obligations of the Corporation shall be incurred, allowed, and paid in accordance with the provisions of said Home Owners' Loan Act of 1933, as amended (12 U. S. C. 1461-1468).

#### FEDERAL HOUSING ADMINISTRATION

Not to exceed \$9,000,000 of the mutual mortgage insurance fund and \$3,500,000 of the funds advanced by the Reconstruction Finance Corporation to the Federal Housing Administration, created under authority of the National Housing Act of June 27, 1934 (48 Stat. 1246), in all \$12,500,000, shall be available during the fiscal year 1940 for administrative expenses of the Administration, including: Personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (5 U. S. C. 821-833), but there may be allowed in addition to mileage at a rate not to exceed 4 cents per mile for travel by motor vehicle reimbursement for the actual cost of ferry fares and bridge and tunnel tolls, and employees engaged in the inspection of property may be paid an allowance not to exceed 3 cents per mile for all travel performed in their personally owned automobiles within the limits of their official posts of duty when such travel is performed in connection with such inspection; printing and binding; law books, books of reference, and not to exceed \$1,500 for periodicals and newspapers; not to exceed \$1,500 for contract actuarial services; procurement of supplies, equipment, and services; purchase of one and maintenance, repair, and operation of three motor-propelled passenger-carrying vehicles, to be used only for official purposes; payment, when specifically authorized by the Administrator, of actual transportation expenses and not to exceed \$10 per diem in lieu of subsistence and other expenses to persons serving, while away from their homes, without other compensation from the United States, in an advisory capacity to the Administration; not to exceed \$2,000 for expenses of attendance, when specifically authorized by the Administrator, at meetings concerned with the work of the Administration; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; rent in the District of Columbia and elsewhere; and all other necessary administrative expenses: *Provided*, That all necessary expenses (including services performed on a contract or fee basis, but not including other personal services) in connection with the operation, maintenance, improvement, or disposition of real or personal property of the Administration acquired under authority of Title II of said National Housing Act, shall be considered as nonadministrative expenses for the purposes hereof, and shall be paid from the mutual mortgage insurance fund created by said Act: *Provided further*, That, except for the limitations in amounts hereinbefore specified and the restrictions in respect to travel expenses, the administrative expenses and other obligations of the Administration shall be incurred, allowed, and paid in accordance with the provisions of said Act of June 27, 1934, as amended (12 U. S. C. 1701-1723): *Provided further*, That not exceeding \$300,000 of the sum herein authorized shall be expended in the District of Columbia during the fiscal year 1940 for purposes of the Public Relations and Education Division.

Payment.

48 Stat. 128.  
12 U. S. C. §§ 1461-1468; Supp. IV, ch. 12.

Administrative expenses.  
*Post*, p. 1303.

48 Stat. 1246.  
12 U. S. C. §§ 1701-1732; Supp. IV, ch. 13.

Travel expenses.  
44 Stat. 689.  
5 U. S. C. §§ 821-833.

Printing and binding.

Supplies, etc.

Attendance at meetings.

*Provisos.*  
Nonadministrative expenses.  
*Post*, p. 1303.

48 Stat. 1247.  
12 U. S. C. §§ 1707-1715; Supp. IV, §§ 1707-1715b.

Payment.

48 Stat. 1246.  
12 U. S. C. §§ 1701-1723; Supp. IV, §§ 1701a-1722.

Amount for Public Relations and Education Division.

Insurance of financial institutions.  
*Post*, p. 1303.

48 Stat. 1246.  
12 U. S. C. § 1703;  
Supp. IV, § 1703.

Not to exceed \$7,000,000 of the funds of the Reconstruction Finance Corporation, advanced or to be advanced to the Federal Housing Administration under authority of the National Housing Act of June 27, 1934 (48 Stat. 1246), as amended, shall be available during the fiscal year 1940 for the payment of losses under insurance granted under section 2, title I, of said Act.

## FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

Administrative expenses.  
48 Stat. 1255.  
12 U. S. C. § 1724;  
Supp. IV, § 1725.

Travel expenses.  
44 Stat. 688.  
5 U. S. C. §§ 821-833.

Printing and binding.

Use of services of designated agencies.

*Provisos.*  
Nonadministrative expenses.

Payment.

48 Stat. 1256.  
12 U. S. C. §§ 1725-1732; Supp. IV, §§ 1725-1727, 1729.

Not to exceed \$300,000 of the funds of the Federal Savings and Loan Insurance Corporation, established by title IV of the National Housing Act of June 27, 1934 (48 Stat. 1246), shall be available during the fiscal year 1940 for administrative expenses of the Corporation, including personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (5 U. S. C. 821-833); expenses (not to exceed \$1,000) of attendance at meetings concerned with the work of the Corporation when specifically authorized by the Board of Trustees; printing and binding; law books, books of reference, and not to exceed \$250 for periodicals and newspapers; procurement of supplies, equipment, and services; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; use of the services and facilities of the Federal Home Loan Bank Board, Federal home loan banks, Federal Reserve banks, and agencies of the Government as authorized by said title IV; and all other necessary administrative expenses: *Provided*, That all necessary expenses in connection with the liquidation of insured institutions under said title IV shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That, except for the limitations in amounts hereinbefore specified, and the restrictions in respect to travel expenses, the administrative expenses and other obligations of the Corporation shall be incurred, allowed, and paid in accordance with the provisions of said Act of June 27, 1934, as amended (12 U. S. C. 1725-1732).

## FEDERAL EMERGENCY ADMINISTRATION OF PUBLIC WORKS

Administrative expenses.  
52 Stat. 816.  
*Post*, p. 985.

Travel expenses.  
44 Stat. 688.  
5 U. S. C. §§ 821-833.

Printing and binding.

Supplies, etc.  
Vehicles.

Attendance at meetings.

*Provisos.*  
Payment of administrative expenses.

Not to exceed \$20,000,000 of the funds appropriated by the Public Works Administration Appropriation Act of 1938 shall be available for administrative expenses of said Administration, as follows: \$16,000,000 for the fiscal year 1940 and \$4,000,000 for the fiscal years 1939 and 1940, which administrative expenses shall include personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (5 U. S. C. 821-833); printing and binding; law books, books of reference, and not to exceed \$1,000 for periodicals, newspapers, and press clippings; procurement of supplies, equipment, and services; purchase and exchange (not to exceed \$12,000), maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, to be used only for official purposes; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; not to exceed \$1,000 for expenses of attendance, when specifically authorized by the Administrator, at meetings concerned with the work of the Administration; rent in the District of Columbia and elsewhere; and all other necessary administrative expenses: *Provided*, That except for the limitations in amounts hereinbefore specified, and the restrictions in respect to travel expenses, the administrative expenses and other

obligations of the Administration shall be incurred, allowed, and paid in accordance with the provisions of Title II of the National Industrial Recovery Act: *Provided further*, That section 3709 of the Revised Statutes (41 U. S. C. 5) shall not apply to any purchase made or service procured when the amount involved is less than \$300.

48 Stat. 200.

Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.

## RECONSTRUCTION FINANCE CORPORATION

Not to exceed \$9,250,000 of the funds of the Reconstruction Finance Corporation, established by the Act of January 22, 1932 (47 Stat. 5), shall be available during the fiscal year 1940 for administrative expenses of the Corporation and of The RFC Mortgage Company, including personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (5 U. S. C. 821-833); printing and binding; law books, books of reference, and not to exceed \$1,000 for periodicals and newspapers; procurement of supplies, equipment, and services; typewriters, adding machines, and other labor-saving devices, including their repair and exchange, rent in the District of Columbia and elsewhere; use of the services and facilities of the Federal Reserve banks; and all other necessary administrative expenses: *Provided*, That all necessary expenses in connection with the acquisition, operation, maintenance, improvement, or disposition of any real or personal property belonging to the Corporation or The RFC Mortgage Company or in which they have an interest, including expenses of collections of pledged collateral, shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That notwithstanding the provisions of section 4 hereof, except for the limitations in amounts hereinbefore specified, and the restrictions in respect to travel expenses, the administrative expenses and other obligations of the Corporation shall be incurred, allowed, and paid in accordance with the provisions of said Act of January 22, 1932, as amended (15 U. S. C. 601-617).

Administrative expenses.  
47 Stat. 5.  
15 U. S. C. §§ 601-617; Supp. IV, ch. 14;

Travel expenses.  
44 Stat. 688.  
5 U. S. C. §§ 821-833.  
Printing and binding.

*Providos.*  
Nonadministrative expenses.

Payment.

47 Stat. 5.  
15 U. S. C. §§ 601-617; Supp. IV, ch. 14.

Salaries limited to average rates under Classification Act.  
5 U. S. C. §§ 661-674; Supp. IV, §§ 673, 673c.

SEC. 2. In expending appropriations or portions of appropriations contained in this Act, for the payment of personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade except that in unusually meritorious cases of one position in a grade, advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service; or (2) to require the reduction in salary of any person whose compensation was fixed, as of July 1, 1924, in accordance with the rules of section 6 of such Act; (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade, in the same or different bureau, office, or other appropriation unit; (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law; or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

*Proviso.*  
Restriction not applicable to clerical-mechanical service.  
No reduction in fixed salaries.  
42 Stat. 1490.  
5 U. S. C. § 666.  
Transfer without reduction.

Higher rates permitted.

If only one position in a grade.

Salaries of designated personnel fixed.

SEC. 3. During the fiscal year ending June 30, 1940, the salaries of the members of the Authority and the Administrator, Civil Aeronautics Authority, of the Commissioners of the Interstate Commerce Commission, the Commissioners of the United States Maritime Commission, and the Commissioners of the United States Tariff Commission shall be at the rate of \$10,000 each per annum.

Emergency agencies, establishment of appropriation accounts.

SEC. 4. None of the funds made available by this Act for administrative expenses of the agencies under the caption "Emergency agencies" shall be obligated or expended unless and until an appropriate appropriation account shall have been established therefor pursuant to an appropriation warrant or a covering warrant, and all such expenditures shall be accounted for and audited in accordance with the terms and provisions of the Budget and Accounting Act of 1921, as amended.

42 Stat. 20.  
31 U. S. C. § 1.

Citizenship requirements.

SEC. 5. No part of any appropriation contained in this Act or authorized hereby to be expended shall be used to pay the compensation of any officer or employee of the Government of the United States, or of any agency the majority of the stock of which is owned by the Government of the United States, whose post of duty is in continental United States unless such person is a citizen of the United States, or a person in the service of the United States on the date of the approval of this Act who being eligible for citizenship has filed a declaration of intention to become a citizen or who owes allegiance to the United States.

Short title.

SEC. 6. This Act may be cited as the "Independent Offices Appropriation Act, 1940".

Approved, March 16, 1939.

#### [CHAPTER 15]

#### AN ACT

March 25, 1939  
[S. 1098]  
[Public, No. 9]

To amend section 12 of the Soil Conservation and Domestic Allotment Act, as amended, by authorizing advances for crop insurance.

Soil Conservation and Domestic Allotment Act, amendment.

49 Stat. 1151.  
16 U. S. C., Supp. IV, § 590l.

Advances to producers for crop insurance authorized.

Remittance.

Terms and conditions of advances.

49 Stat. 1149.  
16 U. S. C., Supp. IV, § 590g.

Appropriation made available.

52 Stat. 744.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 12 of the Soil Conservation and Domestic Allotment Act, as amended, is amended by designating the existing provisions of said section 12 as subsection (a) and by adding at the end thereof the following new subsection (b):

"The Secretary is authorized to make advances to producers for the purpose of assisting them to insure their crops with the Federal Crop Insurance Corporation. The Secretary shall remit the amount of any such advances to a producer directly to such Corporation in payment of the premium on the insurance for which the producer has made application. Advances shall only be made to producers who are participating or who agree to participate in a program formulated pursuant to section 8. Except as otherwise provided in this subsection, the terms and conditions of such advances shall be fixed by the Secretary. The appropriation made in the Department of Agriculture Appropriation Act, fiscal year 1939, under the item entitled 'Conservation and Use of Agricultural Land Resources, Department of Agriculture', shall be available during the fiscal year 1939 for advances authorized by this subsection."

Approved, March 25, 1939.

## [CHAPTER 16]

## JOINT RESOLUTION

To authorize the Postmaster General to withhold the awarding of star-route contracts for a period of forty-five days.

March 25, 1939  
[S. J. Res. 76]  
[Pub. Res., No. 4]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to withhold the awarding of star-route contracts for which bids have been received in the third contract section for a period of forty-five days after March 7, 1939.*

Approved, March 25, 1939.

Postal Service.  
Award of certain  
star-route contracts,  
withholding directed.

## [CHAPTER 17]

## AN ACT

To authorize the purchase of certain lands for the Apache Tribe of the Mescalero Reservation, New Mexico.

March 27, 1939  
[S. 876]  
[Public, No. 10]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior be, and he is hereby, authorized in his discretion to purchase with any available funds heretofore or hereafter appropriated pursuant to authority contained in section 5 of the Act of June 18, 1934 (48 Stat. L. 984), lots 1, 2, 3, and 4, north half northeast quarter southwest quarter northeast quarter, north half southeast quarter northeast quarter, north half southeast quarter southeast quarter northeast quarter, section 24, township 15 south, range 15 east, and lots 4, 5, and 6, section 19, township 15 south, range 16 east, New Mexico principal meridian, New Mexico. Title to the lands shall be taken in the name of the United States in trust for the Apache Tribe of the Mescalero Reservation.*

Approved, March 27, 1939.

Apache Tribe of  
Mescalero Reserva-  
tion, N. Mex.  
Purchase of lands  
for, authorized.

48 Stat. 985.

## [CHAPTER 18]

## AN ACT

To repeal section 9 of the Act of March 3, 1875 (18 Stat. L. 450), as amended.

March 27, 1939  
[S. 1477]  
[Public, No. 11]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 9 of the Act of March 3, 1875 (18 Stat. L. 450), as amended (U. S. C., title 25, sec. 95), providing for the submission by bidders of certified checks or bonds in the amount of 5 per centum of each proposal in excess of \$5,000 for goods, supplies, transportation, and so forth, for and on account of the Indian Service, is hereby repealed.*

Approved, March 27, 1939.

Indian Service.  
Bidders, submission  
of certified checks,  
etc.; provision re-  
pealed.  
18 Stat. 450.  
25 U. S. C. § 95.

## [CHAPTER 19]

## AN ACT

To create the office of Military Secretary to the General of the Armies of the United States of America, with the rank of colonel, and for other purposes.

March 28, 1939  
[S. 1301]  
[Public, No. 12]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the office of Military Secretary to the General of the Armies of the United States of America, with the rank of colonel, is hereby created, and the President is hereby authorized, in his discretion, and by and with the*

Military Secretary  
to the General of the  
Armies, office created.



Promotion of officer  
now serving.

41 Stat. 283.  
*Proviso.*  
Limitation.

advice and consent of the Senate, to promote to the grade of colonel an officer of the Army who has served as military secretary to the General of the Armies continuously since that office was revived by Act of Congress approved September 3, 1919: *Provided*, That not more than one appointment to office shall be made under the terms of this Act.

Approved, March 28, 1939.

#### [CHAPTER 20]

#### AN ACT

March 28, 1939  
[S. 877]  
[Public, No. 13]

To add certain public-domain land in Montana to the Rocky Boy Indian Reservation.

Rocky Boy Indian  
Reservation, Mont.  
Certain public-do-  
main land added.

Description.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there is hereby withdrawn from the public domain and added to the Rocky Boy Indian Reservation, in Montana, subject to all valid existing rights and claims, all public domain land in the following described area: Sections 19 to 36, inclusive, township 31 north, range 14 east; sections 1 to 5, inclusive, sections 8 to 17, inclusive, sections 20 to 29, inclusive, sections 30 to 36, inclusive, township 30 north, range 13 east; townships 30 north, ranges 14 and 15 east; west half, southeast quarter section 6, section 7, west half west half section 8, west half northwest quarter, southwest quarter section 17, section 18, section 19, west half, west half east half section 20, sections 29 to 32, inclusive, township 30 north, range 16 east; sections 1 to 5, inclusive, sections 8 to 17, inclusive, sections 20 to 29, inclusive, sections 32 to 36, inclusive, township 29 north, range 13 east; township 29 north, range 14 east; northeast quarter, west half southeast quarter, west half section 5, section 6, section 7, west half, west half northeast quarter, southeast quarter section 8, sections 17 to 20, inclusive, sections 29 to 32, inclusive, township 29 north, range 16 east; sections 1 and 2, township 28 north, range 13 east, sections 1 to 30, inclusive, township 28 north, range 14 east; and sections 6 and 7, sections 17 to 20, inclusive, and sections 29 and 30, township 28 north, range 15 east, Montana principal meridian.

Approved, March 28, 1939.

#### [CHAPTER 21]

#### AN ACT

March 28, 1939  
[S. 1104]  
[Public, No. 14]

To provide for conveying to the United States the land, buildings, and improvements comprising the Choctaw and Chickasaw Sanatorium and General Hospital.

Choctaw and Chick-  
asaw Sanatorium and  
General Hospital.  
Conveyance of land,  
buildings, etc., to  
United States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the principal chief of the Choctaw Nation and the governor of the Chickasaw Nation be, and they are hereby, authorized to grant and convey to the United States of America, with the consent and approval of the Secretary of the Interior, not less than one hundred and sixty acres and all buildings and improvements thereon comprising the Choctaw and Chickasaw Sanatorium and General Hospital.

Approved, March 28, 1939.

## [CHAPTER 22]

## AN ACT

To authorize an appropriation to pay non-Indian claimants whose claims have been extinguished under the Act of June 7, 1924, but who have been found entitled to awards under said Act as supplemented by the Act of May 31, 1933.

March 28, 1939  
[S. 1476]  
[Public, No. 15]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sum to compensate white settlers or non-Indian claimants whose claims have been extinguished under the Act of June 7, 1924 (43 Stat. L. 636), but who have been found by the Secretary of the Interior, in conformity with the proviso to section 3 of the Act of May 31, 1933 (48 Stat. L. 108, 109), to be entitled to increased compensation by reason of errors in the amount of award previously allowed, or entitled to original awards by reason of errors in the omission of legitimate claimants, the non-Indian claimants, or their successors, as found and reported by the Secretary of the Interior, to be compensated out of said appropriation to be disbursed under the direction of the Secretary of the Interior in the amounts found to be due them, including \$1,000 to be paid to Alberto Cruz for his house, as follows:

Indian pueblos in New Mexico. Non-Indian claimants, appropriation authorized for payment of increased compensation, etc., to certain. 43 Stat. 636.

48 Stat. 109.

Alberto Cruz. Payment to, authorized.

Proviso. Limitation on attorney's, etc., fees.

Penalty for violation.

Within the Pueblo of Taos, \$9,733.05; within the Pueblo of San Felipe, \$93; in all, \$9,826.05: *Provided*, That no part of the amounts appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding \$1,000.

Approved, March 28, 1939.

## [CHAPTER 24]

## JOINT RESOLUTION

Providing for the participation of the United States in the celebration of the twenty-fifth anniversary of the opening of the Panama Canal.

March 28, 1939  
[H. J. Res. 163]  
[Pub. Res., No. 5]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That in commemoration of the twenty-fifth anniversary of the opening of the Panama Canal to the commerce of the world, the 15th day of August 1939 is hereby made a public holiday in the Canal Zone and all officers and employees of the Federal Government on the Isthmus of Panama whose services are not required by the demands of the public service may be excused from duty all day on that day without loss of the pay which they would receive for an ordinary day's work.

Twenty-fifth anniversary of opening of Panama Canal. August 15, 1939, declared a holiday in Canal Zone.

SEC. 2. That the Governor of the Panama Canal may authorize suitable ceremonies in commemoration of the twenty-fifth anniversary of the opening of the Panama Canal and he is hereby authorized to expend not exceeding \$5,000 out of any moneys appropriated or allotted for the maintenance and operation of the Panama Canal for any expenses connected with such ceremonies, including the printing and issuance of a suitable memorial booklet.

Ceremonies and expenditure of funds authorized.

Approved, March 28, 1939.

## [CHAPTER 26]

## AN ACT

March 29, 1939  
[H. R. 980]  
[Public, No. 16]

To exempt all vessels of the United States of less than two hundred tons gross registered tonnage from the provisions of the Officers' Competency Certificates Convention, 1936 (being International Labor Conference Treaty, Convention Numbered 53, adopted by the International Labor Conference at Geneva in 1936).

Officers' Competency Certificates Convention, 1936.  
Exemption of American vessels under 200 tons from provisions of.  
*Post*, p. 1049.

*Proviso.*  
Existing, etc., statutes regarding exempted vessels.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That pursuant to the authority granted in the second clause of Article One of the Officers' Competency Certificates Convention, 1936, ratified by the President of the United States on September 1, 1938, by and with the advice and consent of the Senate of the United States, given June 13, 1938 (being International Labor Conference Treaty, Draft Convention, Numbered 53, adopted by the International Labor Conference at Geneva in 1936), vessels of the United States of less than two hundred tons gross registered tonnage are hereby exempted from the provisions of such convention: *Provided, however*, That neither the ratification of the said convention by the President of the United States, nor the advice and consent of the United States Senate given thereto, nor any provision of the said convention as ratified, nor any provision of this Act shall be deemed to alter, amend, or repeal any statute of the United States existing at the time of said ratification, or thereafter enacted, with regard to any such vessel of less than two hundred tons gross registered tonnage.

Approved, March 29, 1939.

## [CHAPTER 27]

## AN ACT

March 29, 1939  
[H. R. 2192]  
[Public, No. 17]

To extend the time for commencing and completing bridges across Cross Bayou, Twelve Mile Bayou, and Caddo Lake in Caddo Parish, Louisiana.

Caddo Parish, La.  
Time extended for commencing and completing construction of certain bridges.

50 Stat. 697.

Amendment.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the times for commencing and completing the construction of bridges across Cross Bayou at Shreveport, Louisiana; across Twelve Mile Bayou, approximately three miles north of Shreveport, Louisiana; and across Caddo Lake at or near Mooringsport, Louisiana, authorized to be built by the Louisiana Highway Commission and/or the Parish of Caddo, Louisiana, by an Act of Congress approved August 19, 1937, are hereby extended, with respect to each bridge, one and three years, respectively, from August 19, 1939.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, March 29, 1939.

## [CHAPTER 28]

## JOINT RESOLUTION

March 29, 1939  
[H. J. Res. 150]  
[Pub. Res., No. 6]

To amend the joint resolution entitled "Joint resolution to provide that the United States extend to foreign governments invitations to participate in the Third International Congress for Microbiology to be held in the United States during the calendar year 1939."

Third International Congress for Microbiology.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the joint resolution entitled "Joint resolution to provide that the United States extend to foreign governments invitations to participate in the Third International Congress for Microbiology to be held in the United

States during the calendar year 1939", approved June 25, 1938, is hereby amended by inserting after the word "Microbiologists" the following section:

"SEC. 2. That the sum of \$10,000, or so much thereof as may be necessary, is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the expenses of organizing and holding the Third International Congress for Microbiology, including personal services in the District of Columbia and elsewhere, without regard to the Classification Act of 1923, as amended; communication services; stenographic reporting, translating, and other services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); travel expenses; local transportation; hire of motor-propelled passenger-carrying vehicles; transportation of things; rent in the District of Columbia and elsewhere; printing and binding; entertainment; official cards; purchase of newspapers, periodicals, books, and documents; stationery, membership badges, and such other expenses as may be actually and necessarily incurred by the Government of the United States by reason of observance of appropriate courtesies in connection therewith, and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified."

Approved, March 29, 1939.

52 Stat. 1207.

Appropriation authorized for expenses.  
*Post*, p. 988.

Personal services.  
5 U. S. C. §§ 661-674;  
Supp. IV, §§ 673, 673c.  
Contract services.

R. S. § 3709.  
41 U. S. C. § 5.

Reimbursement of other appropriations.

[CHAPTER 34]

JOINT RESOLUTION

Making an additional appropriation for the fiscal year 1939 for expenditure by the United States Employees' Compensation Commission in accordance with section 16 of the Emergency Relief Appropriation Act of 1938.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the sum of \$2,000,000 is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for expenditure during the fiscal year ending June 30, 1939, by the United States Employees' Compensation Commission in accordance with the provisions of section 16 of the Emergency Relief Appropriation Act of 1938.

Approved, April 1, 1939.

April 1, 1939  
[H. J. Res. 250]  
[Pub. Res., No. 7]

U. S. Employees' Compensation Commission.  
Additional appropriation for designated expenses.

52 Stat. 814.

[CHAPTER 35]

AN ACT

To provide more effectively for the national defense by carrying out the recommendations of the President in his message of January 12, 1939, to the Congress.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act approved June 24, 1936 (49 Stat. 1907), is hereby repealed. Section 8 of the Act of July 2, 1926 (44 Stat. 780), is hereby stricken out and the following is substituted in lieu thereof:

"SEC. 8. The Secretary of War is hereby authorized to equip and maintain the Air Corps with not to exceed six thousand serviceable airplanes, and such number of airships and free and captive balloons as he may determine to be necessary for training purposes together with spare parts, equipment, supplies, hangars, and installation necessary for the operation and maintenance thereof; and there is hereby authorized to be appropriated for such purposes an amount not

April 3, 1939  
[H. R. 3791]  
[Public, No. 18]

National defense, Army.  
Legislation repealed.  
49 Stat. 1907; 44 Stat. 783.  
10 U. S. C., Supp. IV, 292b-1; 10 U. S. C. § 292b.  
Army Air Corps.  
Equipment and maintenance of designated aircraft.

Appropriations authorized.  
*Post*, pp. 994, 996, 1327.

Replacement of obsolete, etc., aircraft.

*Provisos.*  
Total to be exclusive of those awaiting salvage, etc.

Number necessary for National Guard, etc., included.

Technical instruction of Army personnel at civilian institutions.  
*Post*, p. 995.

44 Stat. 705.  
10 U. S. C. § 535.

*Provisos.*  
Limitation on expenses.

Payment of tuition.

Air Corps Training Center, enrollments from accredited civilian flying schools.

*Provisos.*  
Federal cost restriction.

Hospital or medical treatment.

Gratuity due to death, etc., of student.

Loan of aircraft, etc., to accredited civilian aviation schools.  
*Post*, p. 995.  
Training of Negro air pilots.

exceeding \$300,000,000, together with such annual appropriations as may be necessary to maintain such air force. In order to maintain the number specified above, the Secretary of War is hereby authorized to replace obsolete or unserviceable aircraft from time to time: *Provided*, That the total number of airplanes and airships herein authorized shall be exclusive of those awaiting salvage or undergoing experiment or service tests, those authorized by the Secretary of War to be placed in museums, and those classified by the Secretary of War as obsolete: *And provided further*, That the total number of airplanes authorized in this section shall include the number necessary for the training and equipment of the National Guard and the training of the Organized Reserves as may be determined by the Secretary of War."

SEC. 2. When the facilities of the Army for instruction and training in aviation are deemed by the Secretary of War to be insufficient he may, under such regulations as he may prescribe, and without reference to any limitation contained in section 127a of the National Defense Act, as amended (10 U. S. C. 535), detail personnel of the Regular Army as students at any technical, professional, or other educational institution, or as students, observers, or investigators at such industrial plants or other places as shall be best suited to enable such personnel to acquire a knowledge of or experience in the specialties incident to aviation in which the training of such personnel is essential: *Provided*, That no expense shall be incurred by the United States in addition to the authorized emoluments of the personnel so detailed except for the cost of tuition at such educational institutions, and the cost of maintenance of necessary personnel who may be detailed as supervisors or inspectors and of the equipment assigned to them for their official use: *Provided further*, That the tuition for the personnel during the period of their detail may be paid from any funds which may hereafter be made available for the procurement branches.

SEC. 3. The Secretary of War, in his discretion and under such rules and regulations as he may prescribe, is authorized to enroll as students at the Air Corps Training Center, for the pursuit of such courses of instruction as may be prescribed therefor, such civilians, upon their own applications, as may be selected from the instructional staffs of those civilian flying schools which have been accredited by the War Department for the education, experience, and training of personnel of the Military Establishment: *Provided*, That except for the furnishing of such supplies, matériel, or equipment as may be necessary for training purposes, the training of such students shall be without cost to the United States: *Provided further*, That in case of injury to or sickness of such students, hospital or medical treatment may be given in Government hospitals, but shall be without expense to the United States other than for services of Medical Department personnel and the use of hospital equipment, not including medicines or supplies: *And provided further*, That the United States shall be under no obligation in respect to payment of a pension, compensation, or other gratuity to the dependents of any such student who dies of disease or injury while undergoing such training, nor to any such student in the event of personal injury sustained by him.

SEC. 4. The Secretary of War is hereby authorized, in his discretion and under rules, regulations, and limitations to be prescribed by him, to lend to accredited civilian aviation schools, one or more of which shall be designated by the Civil Aeronautics Authority for the training of any Negro air pilot, at which personnel of the Military Establishment are pursuing a course of education and training pursuant to detail thereto under competent orders of the War Department,

out of aircraft, aircraft parts, aeronautical equipment and accessories for the Air Corps, on hand and belonging to the Government, such articles as may appear to be required for instruction, training, and maintenance purposes.

SEC. 5. Section 1 of the Act entitled "An Act to amend the National Defense Act", approved August 30, 1935 (49 Stat. 1028), is hereby amended to read as follows:

"That the President is hereby authorized to order annually, with their consent, upon application to and selection by the War Department, for a period of not more than one year for any one officer, for active duty with the Regular Army, such numbers of Reserve officers, in the grade of second lieutenant, as are necessary to maintain on active duty at all times not more than one thousand Reserve officers of the promotion-list branches other than the Air Corps, not more than three thousand Reserve officers of the Air Corps, and not more than three hundred Reserve officers of the non-promotion-list branches: *Provided*, That in the non-promotion-list branches and the Judge Advocate General's Department, such Reserve officers may be in any grade not above captain: *Provided further*, That until July 1, 1949, the tour of active duty of Air Corps Reserve officers may, in the discretion of the Secretary of War, be extended not to exceed a total of seven years' active service in all, and thereafter not to exceed a total of five years' active service in all: *Provided further*, That in the non-promotion-list branches and the Judge Advocate General's Department, the tour of active duty may, in the discretion of the Secretary of War, be extended not to exceed a total of two years' active service in all: *And provided further*, That nothing herein contained shall require the termination of active duty of any Reserve officer because of promotion to a higher grade after his tour of active duty begins. The tour of any Reserve Corps officer on active duty may be terminated at any time, in the discretion of the Secretary of War": *Provided further*, That all officers, warrant officers, and enlisted men of the Army of the United States, other than the officers and enlisted men of the Regular Army, if called or ordered into the active military service by the Federal Government for extended military service in excess of thirty days, and who suffer disability or death in line of duty from disease or injury while so employed shall be deemed to have been in the active military service during such period and shall be in all respects entitled to receive the same pensions, compensation, retirement pay, and hospital benefits as are now or may hereafter be provided by law or regulation for officers and enlisted men of corresponding grades and length of service of the Regular Army.

SEC. 6. Section 2 of the said Act is hereby amended to read as follows:

"That, for the period of ten years beginning July 1, 1939, the Secretary of War is authorized to select annually, to be commissioned in the Regular Army in approximately equal annual increments, in accordance with the provisions of, and from the groups described in, section 24e of the National Defense Act, as amended, such proportion of the total number of officers as, in the judgment of the Secretary of War, will be required to bring the commissioned personnel of the Regular Army to peacetime strength, as hereinafter provided, on June 30, 1949."

SEC. 7. Section 24e of the National Defense Act, as amended (41 Stat. 774), is hereby amended to read as follows:

"Except as otherwise herein provided, all appointments in the Regular Army shall be made in the grade of second lieutenant from the following groups: Group 1, from graduates of the United States

49 Stat. 1028.  
10 U. S. C., Supp.  
IV, § 369a.

Reserve officers.  
Annual call of designated, for active Army duty.  
*Post*, p. 997.  
Number, grades, etc.

*Provisos*.  
Grades in non-promotion-list branches, etc.  
Tour of active duty, extension.

Extensions in non-promotion-list branches and Judge Advocate General's Department.  
Active duty not terminated by promotion after tour begins.

Discretionary authority to terminate tour.

Disability or death in line of duty, benefits.  
*Post*, pp. 1043, 1079.

49 Stat. 1028.  
10 U. S. C., Supp.  
IV, § 487a.

Annual selection for Regular Army commissions from designated groups over 10-year period.

41 Stat. 774.

41 Stat. 774.

Groups from which Regular Army appointments to be made.

<i>Provisos.</i> Order of appointments.	<p>Military Academy; group 2, from warrant officers and enlisted men of the Regular Army who have had at least two years' service; group 3, from honor graduates of the senior division of the Reserve Officers' Training Corps; group 4, from members of the Officers' Reserve Corps and flying cadets, who have performed active duty under the provisions of this Act, which duty may include service as a flying cadet in the Air Corps Training Center; and group 5, from reserve officers and from officers, warrant officers, and enlisted men of the National Guard, members of the Enlisted Reserve Corps, and graduates of technical institutions approved by the Secretary of War: <i>Provided</i>, That, after all qualified members of group 1 have been appointed, appointments from the second, third, fourth, and fifth groups shall be made in accordance with such regulations as the Secretary of War may prescribe, from persons between the ages of twenty-one and thirty years: <i>Provided further</i>, That the number to be selected from each of the second, third, fourth, and fifth groups, and the number to be assigned to each branch of the service within the limits prescribed by law from all groups shall be determined by the Secretary of War in his discretion: <i>Provided further</i>, That until June 30, 1949, the total number of officers to be appointed annually from group 4, not including flying cadets, in the promotion list branches other than the Air Corps shall be not less than 10 per centum of the total number of Reserve officers of such branches other than the Air Corps authorized to be called annually under appropriation Acts, and in no event less than fifty, and that any officers added to the Army under existing authorizations shall be within the total authorized commissioned strength of sixteen thousand seven hundred and nineteen: <i>And provided further</i>, That immediately upon the effective date of this Act, the President is authorized to commission not to exceed three hundred second lieutenants in the Air Corps of the Regular Army, from among Reserve officers and flying cadets who have qualified for such appointment under existing laws. Any vacancy in the grade of captain in the Judge Advocate General's Department, not filled by transfer or detail from another branch, may, in the discretion of the President, be filled by appointment from Reserve judge advocates between the ages of thirty and thirty-six years, and such appointee shall be placed upon the promotion list immediately below the junior captain on said list. Appointments in the Medical, Dental, and Veterinary Corps in the grade of first lieutenant shall be made from Reserve Medical, Dental, and Veterinary officers, respectively, between the ages of twenty-three and thirty-two years. Appointments in the Medical Administrative Corps shall be made in the grade of second lieutenant from pharmacists between the ages of twenty-one and thirty-two years who are graduates of recognized schools or colleges of pharmacy requiring four years of instruction for graduation, under such regulations and after such examination as the Secretary of War shall prescribe. To be eligible for appointment in the Dental Corps, a candidate must be a graduate of a recognized dental college, and have been engaged in the practice of his profession for at least two years subsequent to graduation. Appointments as chaplain shall be made from persons duly accredited by some religious denomination or organization, and of good standing therein, between the ages of twenty-three and forty-five years."</p> <p>SEC. 8. On and after July 1, 1939, the peacetime commissioned strength of the Regular Army to be attained by approximately equal annual increments, as hereinbefore provided, shall be sixteen thousand seven hundred and nineteen officers, including sixty-seven general officers of the line as now authorized by law. Commissioned officers, other than general officers, shall be assigned to the several</p>
Number from designated groups and assignments.	
Annual appointments from group 4, excluding flying cadets, until June 30, 1949.	
Maximum commissioned strength.	
Immediate commission of 300 second lieutenants, Air Corps.	
Captains in Judge Advocate General's Department, vacancies.	
Appointments in Medical, etc., Corps in grade of first lieutenant.	
Medical Administrative Corps.	
Dental Corps.	
Chaplains.	
Peacetime commissioned strength, Regular Army; annual increments.	
Assignments.	

branches as follows: Infantry, four thousand one hundred and eighty-four; Cavalry, one thousand and thirty-four; Field Artillery, one thousand seven hundred and twenty-six; Coast Artillery Corps, one thousand three hundred and forty-one; Air Corps, three thousand two hundred and three exclusive of officers detailed from other arms and services for training and duty as aircraft observers and other members of combat crews; Corps of Engineers, seven hundred and ninety-five; Signal Corps, three hundred and forty-one; Adjutant General's Department, one hundred and thirty-one; Judge Advocate General's Department, one hundred and twenty-one; Quartermaster Corps, one thousand and sixteen; Finance Department, one hundred and seventy-six; Ordnance Department, four hundred and seventeen; Chemical Warfare Service, one hundred and twenty-four; Medical Corps, one thousand four hundred and twenty-four; Dental Corps, three hundred and sixteen; Veterinary Corps, one hundred and twenty-six; Medical Administrative Corps, sixteen; and Corps of Chaplains, one hundred and fifty-two: *Provided*, That the President may increase or diminish the number of officers assigned to any branch by not more than a total of 30 per centum: *Provided further*, That nothing herein contained shall affect the number of professors, United States Military Academy, as now authorized by law, or require the separation from the service of any officer now commissioned in the Medical Administrative Corps. Subject to the authorized increase or decrease of 30 per centum hereinabove provided, the number of officers detailed in the Inspector General's Department shall be fifty-five.

SEC. 9. The Act approved June 11, 1938 (ch. 337, Seventy-fifth Congress, third session), is hereby amended by striking out the words "twenty-one thousand five hundred" in the last line thereof and inserting in lieu thereof the words "forty-five thousand".

SEC. 10. Nothing contained in this Act shall be construed to affect the operation of the Act of August 30, 1935 (49 Stat. 1028), with respect to the selection and commissioning, in accordance with the provisions of section 2 of that Act, of Reserve officers now on active duty under the provisions of that Act. Upon the effective date of this Act, Air Corps Reserve officers who are then on active duty under the provisions of section 1 of the Act of June 16, 1936 (49 Stat. 1524), shall be deemed to be on active duty under the provisions of this Act: *Provided*, That on and after the effective date of this Act no Air Corps Reserve officers shall be called to active duty under the provision of section 1 of the said Act of June 16, 1936. Except as otherwise herein provided, nothing contained in this Act shall be construed to affect the number of Reserve officers that may be called to active duty under existing laws, nor the conditions and the purposes for which they may be called.

SEC. 11. Section 2 of the Act of June 16, 1936 (49 Stat. 1524), is hereby amended to read as follows:

"Any Air Corps Reserve officer who has not been selected for commission in the Regular Army shall be paid upon release from active duty following the termination of any period of active duty of three years or more in duration a lump sum of \$500 which sum shall be in addition to any pay and allowances which he may otherwise be entitled to receive."

SEC. 12. There is hereby authorized to be appropriated not to exceed \$23,750,000 to be expended for the construction, rehabilitation, and installation in the Panama Canal Department of such buildings, utilities, and appurtenances thereto as may be necessary to house antiaircraft, seacoast defense, and auxiliary units most urgently needed for defense of the Panama Canal.

*Provisos.*  
Modifications permitted.

Military Academy faculty.

Present Medical Administrative Corps officers.  
Details in Inspector General's Department.

Army Air Corps, basic allotment of enlisted men.  
52 Stat. 641.  
10 U. S. C., Supp. IV, § 291.

Reserve officers now on active duty, selection and commissioning.  
49 Stat. 1028.  
10 U. S. C., Supp. IV, § 487a.  
Active duty construed.  
49 Stat. 1524.  
10 U. S. C., Supp. IV, § 292 b-2.  
Post, p. 997.

*Proviso.*  
Restriction on active-duty service.

49 Stat. 1524.  
10 U. S. C., Supp. IV, § 300a.

Reserve officer not selected for Regular Army commission, lump sum on termination of active duty.

Panama Canal Department.  
Appropriation authorized for construction, etc.  
Post, pp. 994, 1327.



52 Stat. 708.  
50 U. S. C., Supp.  
IV, § 94.  
Educational orders  
for special war munitions, etc.

Availability of funds  
for designated studies,  
etc.

Appropriation au-  
thorized; availability.  
*Post*, pp. 595, 593.

Contracts for air-  
craft for the Army.  
48 Stat. 505; 49 Stat.  
1926.  
34 U. S. C. § 496;  
Supp. IV, § 496.

*Proviso.*  
Authority of Secre-  
tary of War.

Limitation on prof-  
its.

If net loss or insuffi-  
cient profit; allowance  
as credit during next  
succeeding years.

Method of ascertain-  
ment.

Purchase of sample  
aircraft from competi-  
tors to whom award  
not made authorized.

SEC. 13. That section 4 of the Act approved June 16, 1938, entitled "An Act to provide for placing educational orders to familiarize private manufacturing establishments with the production of munitions of war of special or technical design, noncommercial in character", be amended to read as follows:

"SEC. 4. That funds appropriated to accomplish the purposes of this Act shall be available for expenditures incidental to the accomplishment of the procurements made thereunder, including production studies, factory plans, and other production data and the storage and maintenance of gages, dies, jigs, tools, fixtures, and other special aids and appliances procured thereunder. To carry out the provisions of this Act there is authorized to be appropriated the sum of \$34,500,000, which amount shall be available during the fiscal years 1939, 1940, and 1941, and there is further authorized to be appropriated the sum of \$2,000,000 during each of the four fiscal years succeeding the fiscal year 1941."

SEC. 14. All the provisions of section 3 of the Act of March 27, 1934, as amended (48 Stat. 505; 49 Stat. 1926), and as amended by this section shall be applicable with respect to contracts for aircraft or any portion thereof for the Army to the same extent and in the same manner that such provisions are applicable with respect to contracts for aircraft, or any portion thereof for the Navy: *Provided*, That the Secretary of War shall exercise all functions under such section with respect to aircraft for the Army which are exercised by the Secretary of the Navy with respect to aircraft for the Navy: *Provided further*, That section 3 b of the Act of March 27, 1934 (48 Stat. 505), as amended (49 Stat. 1926; 34 U. S. C. Supp. IV 496), is hereby further amended by inserting in the first sentence after the words "in excess of 10 per centum of the total contract prices" the words "for the construction and or manufacture of any complete naval vessel or portion thereof, and in excess of 12 per centum of the total contract prices for the construction and or manufacture of any complete aircraft or portion thereof"; by inserting in the first proviso after the words "That if there is a net loss on all such contracts or subcontracts" the words "for the construction and or manufacture of any complete naval vessel or portion thereof"; and by inserting at the end of the first proviso after the words "income taxable year" a comma and the words "and that if there is a net loss, or a net profit less than 12 per centum, as aforesaid on all such contracts or subcontracts for the construction and or manufacture of any complete aircraft or portion thereof completed by the particular contractor or subcontractor within any income taxable year, such net loss or deficiency in profit shall be allowed as a credit in determining the excess profit, if any, during the next succeeding four income taxable years, and that the method of ascertaining the amount of excess profit, initially fixed upon shall be determined on or before June 30, 1939": *Provided further*, That when aircraft are procured by the Secretary of War as a result of competitive bids requiring the submission of sample aircraft with bid, the Secretary is authorized, in his discretion, to purchase sample aircraft of competitors to whom an award is not made, not more than one each from not more than three such competitors, in order of merit, at prices not exceeding 75, 60, and 50 per centum, respectively, of the cost applicable in the opinion of the Secretary to the development and manufacture of such sample aircraft.

Approved, April 3, 1939.

## [CHAPTER 36]

## AN ACT

To provide for reorganizing agencies of the Government, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Reorganization Act of 1939".

April 3, 1939

[H. R. 4423]

[Public, No. 19]

Reorganization Act  
of 1939.

Post, pp. 1423, 1431.

## TITLE I—REORGANIZATION

## PART I

SECTION 1. (a) The Congress hereby declares that by reason of continued national deficits beginning in 1931 it is desirable to reduce substantially Government expenditures and that such reduction may be accomplished in some measure by proceeding immediately under the provisions of this Act. The President shall investigate the organization of all agencies of the Government and shall determine what changes therein are necessary to accomplish the following purposes:

(1) To reduce expenditures to the fullest extent consistent with the efficient operation of the Government;

(2) To increase the efficiency of the operations of the Government to the fullest extent practicable within the revenues;

(3) To group, coordinate, and consolidate agencies of the Government, as nearly as may be, according to major purposes;

(4) To reduce the number of agencies by consolidating those having similar functions under a single head, and to abolish such agencies as may not be necessary for the efficient conduct of the Government; and

(5) To eliminate overlapping and duplication of effort.

(b) The Congress declares that the public interest demands the carrying out of the purposes specified in subsection (a) and that such purposes may be accomplished in great measure by proceeding immediately under the provisions of this title, and can be accomplished more speedily thereby than by the enactment of specific legislation.

SEC. 2. When used in this title, the term "agency" means any executive department, commission, independent establishment, corporation owned or controlled by the United States, board, bureau, division, service, office, authority, or administration, in the executive branch of the Government.

SEC. 3. No reorganization plan under section 4 shall provide—

(a) For the abolition or transfer of an executive department or all the functions thereof or for the establishment of any new executive department;

(b) In the case of the following agencies, for the transfer, consolidation, or abolition of the whole or any part of such agency or of its head, or of all or any of the functions of such agency or of its head: Civil Service Commission, Coast Guard, Engineer Corps of the United States Army, Mississippi River Commission, Federal Communications Commission, Federal Power Commission, Federal Trade Commission, General Accounting Office, Interstate Commerce Commission, National Labor Relations Board, Securities and Exchange Commission, Board of Tax Appeals, United States Employees' Compensation Commission, United States Maritime Commission, United States Tariff Commission, Veterans' Administration, National Mediation Board, National Railroad Adjustment Board, Railroad Retirement Board, the Federal Deposit Insurance Corporation, or the Board of Governors of the Federal Reserve System; or

Declaration by the  
Congress.Investigation by  
President and deter-  
mination of changes  
necessary to accom-  
plish designated pur-  
poses.Reduction of ex-  
penditures.Increase in effi-  
ciency.Grouping, etc., of  
agencies.Reduction of num-  
ber of agencies.Elimination of over-  
lapping and duplica-  
tion of effort.Purposes declared to  
be in public interest.

"Agency" defined.

Provisions prohib-  
ited in reorganization  
plans.Abolition or trans-  
fer of an executive de-  
partment, etc.Transfer, abolition,  
etc., of designated  
agencies.

Changing name or title of head of any executive department.

Continuation of agency or functions beyond authorized period.

Authorization of functions not expressly authorized by law.

Findings by the President.

Preparation of reorganization plan by President; provisions.

Designation, if necessary, of name of agency, etc., affected.

Transfer, etc., of records, property, and personnel.

Transfer of appropriations.

Restriction.

Provision for winding up affairs of abolished agency.

Transmittal of plan to Congress.

Delivery to both Houses on same day while in session.

Statement of probable reduction of expenditures.

Effective dates of reorganizations.  
*Post*, p. 813.  
After sixty-day period; exception.

(c) For changing the name of any executive department or the title of its head, or for designating any agency as "Department" or its head as "Secretary"; or

(d) For the continuation of any agency beyond the period authorized by law for the existence of such agency; or

(e) For the continuation of any function of any agency beyond the period authorized by law for the exercise of such function; or

(f) For authorizing any agency to exercise any function which is not expressly authorized by law.

SEC. 4. Whenever the President, after investigation, finds that—

(a) the transfer of the whole or any part of any agency or the functions thereof to the jurisdiction and control of any other agency; or

(b) the consolidation of the functions vested in any agency; or

(c) the abolition of the whole or any part of any agency which agency or part (by reason of transfers under this Act or otherwise, or by reason of termination of its functions in any manner) does not have, or upon the taking effect of the reorganizations specified in the reorganization plan will not have, any functions,

is necessary to accomplish one or more of the purposes of section 1 (a), he shall—

(d) prepare a reorganization plan for the making of the transfers, consolidations, and abolitions, as to which he has made findings and which he includes in the plan. Such plan shall also—

(1) designate, in such cases as he deems necessary, the name of any agency affected by a reorganization and the title of its head;

(2) make provision for the transfer or other disposition of the records, property (including office equipment), and personnel affected by such transfer, consolidation, or abolition;

(3) make provision for the transfer of such unexpended balances of appropriations available for use in connection with the function or agency transferred or consolidated, as he deems necessary by reason of the transfer or consolidation for use in connection with the transferred or consolidated functions, or for the use of the agency to which the transfer is made, but such unexpended balances so transferred shall be used only for the purposes for which such appropriation is originally made;

(4) make provision for winding up the affairs of the agency abolished; and

(e) transmit such plan (bearing an identifying number) to the Congress, together with a declaration that, with respect to each transfer, consolidation, or abolition referred to in paragraph (a), (b), or (c) of this section and specified in the plan, he has found that such transfer, consolidation, or abolition is necessary to accomplish one or more of the purposes of section 1 (a). The delivery to both Houses shall be on the same day and shall be made to each House while it is in session.

The President, in his message transmitting a reorganization plan, shall state the reduction of expenditures which it is probable will be brought about by the taking effect of the reorganizations specified in the plan.

SEC. 5. The reorganizations specified in the plan shall take effect in accordance with the plan:

(a) Upon the expiration of sixty calendar days after the date on which the plan is transmitted to the Congress, but only if during such sixty-day period there has not been passed by the two Houses a con-

current resolution stating in substance that the Congress does not favor the reorganization plan.

(b) If the Congress adjourns sine die before the expiration of the sixty-day period, a new sixty-day period shall begin on the opening day of the next succeeding regular or special session. A similar rule shall be applicable in the case of subsequent adjournments sine die before the expiration of sixty days.

Effect of sine die adjournment before expiration of period.

SEC. 6. No reorganization under this title shall have the effect—

Limitation on continuing any agency or function beyond term.

(a) of continuing any agency or function beyond the time when it would have terminated if the reorganization had not been made; or

(b) of continuing any function beyond the time when the agency in which it was vested before the reorganization would have terminated if the reorganization had not been made; or

(c) of authorizing any agency to exercise any function which is not expressly authorized by law.

Exercise of any unauthorized function.

SEC. 7. For the purposes of this title any transfer, consolidation, abolition, designation, disposition, or winding up of affairs, referred to in section 4 (d), shall be deemed a "reorganization".

"Reorganization" defined.

SEC. 8. (a) All orders, rules, regulations, permits, or other privileges made, issued, or granted by or in respect of any agency or function transferred to, or consolidated with, any other agency or function under the provisions of this title, and in effect at the time of the transfer or consolidation, shall continue in effect to the same extent as if such transfer or consolidation had not occurred, until modified, superseded, or repealed.

Continuation of rules, privileges, etc.

(b) No suit, action, or other proceeding lawfully commenced by or against the head of any agency or other officer of the United States, in his official capacity or in relation to the discharge of his official duties, shall abate by reason of any transfer of authority, power, and duties from one officer or agency of the Government to another under the provisions of this title, but the court, on motion or supplemental petition filed at any time within twelve months after such transfer takes effect, showing a necessity for a survival of such suit, action, or other proceeding to obtain a settlement of the questions involved, may allow the same to be maintained by or against the head of the agency or other officer of the United States to whom the authority, powers, and duties are transferred.

No proceeding to abate by reason of any transfer of authority, etc.

(c) All laws relating to any agency or function transferred to, or consolidated with, any other agency or function under the provisions of this title, shall, insofar as such laws are not inapplicable, remain in full force and effect.

Applicable laws to remain in force.

SEC. 9. The appropriations or portions of appropriations unexpended by reason of the operation of this title shall not be used for any purpose, but shall be impounded and returned to the Treasury.

Unexpended appropriations, impounding and return to Treasury.

SEC. 10. (a) Whenever the employment of any person is terminated by a reduction of personnel as a result of a reorganization effected under this title, such person shall thereafter be given preference, when qualified, whenever an appointment is made in the executive branch of the Government, but such preference shall not be effective for a period longer than twelve months from the date the employment of such person is so terminated.

Separations resulting from personnel reduction; preferential status.

Duration.

(b) Any transfer of personnel under this title shall be without change in classification or compensation, except that this requirement shall not operate after the end of the fiscal year during which the transfer is made to prevent the adjustment of classification or compensation to conform to the duties to which such transferred personnel may be assigned.

Transfers without change in classification, etc.; exception.

Printing of reorganization plan in Statutes at Large and Federal Register.

Time limitation for transmittal of plans.

SEC. 11. If the reorganizations specified in a reorganization plan take effect, the reorganization plan shall be printed in the Statutes at Large in the same volume as the public laws, and shall be printed in the Federal Register.

SEC. 12. No reorganization specified in a reorganization plan shall take effect unless the plan is transmitted to the Congress before January 21, 1941.

## PART 2

Congressional rules for consideration of reorganization plans.  
Application.

SEC. 21. The following sections of this part are enacted by the Congress:

(a) As an exercise of the rule-making power of the Senate and the House of Representatives, respectively, and as such they shall be considered as part of the rules of each House, respectively, but applicable only with respect to the procedure to be followed in such House in the case of resolutions (as defined in section 22); and such rules shall supersede other rules only to the extent that they are inconsistent therewith; and

Modification.

(b) With full recognition of the constitutional right of either House to change such rules (so far as relating to the procedure in such House) at any time, in the same manner and to the same extent as in the case of any other rule of such House.

"Resolution" defined.

SEC. 22. As used in this part, the term "resolution" means only a concurrent resolution of the two Houses of Congress, the matter after the resolving clause of which is as follows: "That the Congress does not favor the reorganization plan numbered \_\_\_\_\_ transmitted to Congress by the President on \_\_\_\_\_, 19—.", the blank spaces therein being appropriately filled; and does not include a concurrent resolution which specifies more than one reorganization plan.

Reference of resolution to committee.

SEC. 23. A resolution with respect to a reorganization plan shall be referred to a committee (and all resolutions with respect to the same plan shall be referred to the same committee) by the President of the Senate or the Speaker of the House of Representatives, as the case may be.

Procedure for discharge of committee.

SEC. 24. (a) If the committee to which has been referred a resolution with respect to a reorganization plan has not reported it before the expiration of ten calendar days after its introduction (or, in the case of a resolution received from the other House, ten calendar days after its receipt), it shall then (but not before) be in order to move either to discharge the committee from further consideration of such resolution, or to discharge the committee from further consideration of any other resolution with respect to such reorganization plan which has been referred to the committee.

Motion to discharge, privileged status, debate, etc.

(b) Such motion may be made only by a person favoring the resolution, shall be highly privileged (except that it may not be made after the committee has reported a resolution with respect to the same reorganization plan), and debate thereon shall be limited to not to exceed one hour, to be equally divided between those favoring and those opposing the resolution. No amendment to such motion shall be in order, and it shall not be in order to move to reconsider the vote by which such motion is agreed to or disagreed to.

Not subject to amendment or reconsideration.

(c) If the motion to discharge is agreed to or disagreed to, such motion may not be renewed, nor may another motion to discharge the committee be made with respect to any other resolution with respect to the same reorganization plan.

Restriction on renewal after motion agreed to or disagreed to.

Procedure for consideration of resolution.

SEC. 25. (a) When the committee has reported, or has been discharged from further consideration of, a resolution with respect to a reorganization plan, it shall at any time thereafter be in order (even though a previous motion to the same effect has been disagreed to)

to move to proceed to the consideration of such resolution. Such motion shall be highly privileged and shall not be debatable. No amendment to such motion shall be in order and it shall not be in order to move to reconsider the vote by which such motion is agreed to or disagreed to.

Status of motion.

(b) Debate on the resolution shall be limited to not to exceed ten hours, which shall be equally divided between those favoring and those opposing the resolution. A motion further to limit debate shall not be debatable. No amendment to, or motion to recommit, the resolution shall be in order, and it shall not be in order to move to reconsider the vote by which the resolution is agreed to or disagreed to.

Time limitation on debate.

SEC. 26. (a) All motions to postpone, made with respect to the discharge from committee, or the consideration of, a resolution with respect to a reorganization plan, and all motions to proceed to the consideration of other business, shall be decided without debate.

Motions to postpone.

(b) All appeals from the decisions of the Chair relating to the application of the rules of the Senate or the House of Representatives, as the case may be, to the procedure relating to a resolution with respect to a reorganization plan shall be decided without debate.

Appeals from decisions of the Chair.

SEC. 27. If, prior to the passage by one House of a resolution of that House with respect to a reorganization plan, such House receives from the other House a resolution with respect to the same plan, then—

Procedure when resolution received from other House.

(a) If no resolution of the first House with respect to such plan has been referred to committee, no other resolution with respect to the same plan may be reported or (despite the provisions of section 24 (a)) be made the subject of a motion to discharge.

If no resolution of first House has been referred to committee.

(b) If a resolution of the first House with respect to such plan has been referred to committee—

If resolution has been so referred.

(1) the procedure with respect to that or other resolutions of such House with respect to such plan which have been referred to committee shall be the same as if no resolution from the other House with respect to such plan had been received; but

(2) on any vote on final passage of a resolution of the first House with respect to such plan the resolution from the other House with respect to such plan shall be automatically substituted for the resolution of the first House.

## TITLE II—BUDGETARY CONTROL

SEC. 201. Section 2 of the Budget and Accounting Act, 1921 (U. S. C., 1934 edition, title 31, sec. 2), is amended by inserting after the word "including" the words "any independent regulatory commission or board and".

Budget and Accounting Act, 1921, amendment.  
Definitions.  
42 Stat. 20.  
31 U. S. C. § 2.

## TITLE III—ADMINISTRATIVE ASSISTANTS

SEC. 301. The President is authorized to appoint not to exceed six administrative assistants and to fix the compensation of each at the rate of not more than \$10,000 per annum. Each such administrative assistant shall perform such duties as the President may prescribe.

Administrative assistants to the President, appointment, compensation, etc.  
*Post*, p. 981.

Approved, April 3, 1939.

## [CHAPTER 37]

## AN ACT

April 5, 1939  
[S. 794]

[Public, No. 20]

Relating to banking, banks, and trust companies in the District of Columbia, and for other purposes.

District of Columbia.  
Banking, banks, and trust companies.  
Time limitation for presentation of checks and other demand instruments.

Recognition of adverse claimants to deposits.

Proviso.  
Deposit to credit of fiduciary of adverse claimant.

Liability to depositor for money paid on forged, etc., checks.

Notice to depositor.

Duty of depositor to examine returned vouchers, etc.

"Check" defined.

Forgery of an endorsement.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That where a check or other instrument payable on demand at any bank or trust company doing business in the District of Columbia is presented for payment more than one year from its date, such bank or trust company may, unless expressly instructed by the drawer or maker to pay the same, refuse payment thereof, and no liability shall thereby be incurred to the drawer or maker for dishonoring the instrument by nonpayment.

SEC. 2. Notice to any bank or trust company doing business in the District of Columbia of an adverse claim to a deposit standing on its books to the credit of any person shall not be effectual to cause said bank or trust company to recognize said adverse claimant unless said adverse claimant shall also either (1) procure a restraining order, injunction, or other appropriate process against said bank or trust company from a court of competent jurisdiction in a cause therein instituted by him wherein the person to whose credit the deposit stands is made a party and served with summons; or (2) execute to such bank or trust company, in form and with sureties acceptable to it, a bond indemnifying said bank or trust company from any and all liability, loss, damage, costs, and expenses, for and on account of the payment of such adverse claim or the dishonor of the check or other order of the person to whose credit the deposit stands on the books of said bank or trust company: *Provided*, That this section shall not apply to any instance where the person to whose credit the deposit stands is a fiduciary for such adverse claimant, and the facts constituting such relationship, together with the facts showing reasonable cause of belief on the part of the said claimant that the said fiduciary is about to misappropriate said deposit, are made to appear by the affidavit of such claimant.

SEC. 3. (a) No bank or trust company doing business in the District of Columbia, which has paid and charged to the account of a depositor any money on a forged, altered, or raised check issued in the name of said depositor shall be liable to said depositor for the amount paid thereon unless either (1) within one year after notice to said depositor that the vouchers representing payments charged to the account of said depositor for the period during which such payment was made are ready for delivery, or (2), in case no such notice has been given, within six months after the return to said depositor of the voucher representing such payment, said depositor shall notify the bank or trust company that the check so paid is forged, altered, or raised.

(b) The notice referred to in subsection (a) may be given by mail to said depositor at his last-known address with postage prepaid.

(c) This section shall not be construed to relieve a depositor from due diligence in the examination of returned vouchers or in otherwise discovering that a check has been forged, altered, or raised, or in notifying the bank or trust company of his actual discovery of a forgery or alteration.

(d) When used in this section the word "check" shall also include drafts, notes, acceptances, or other negotiable instruments payable at a bank or trust company, and the word "forged" shall also include an unauthorized signature by an agent or officer of a depositor.

(e) The provisions of this section shall not be held to apply to the forgery of an endorsement.

SEC. 4. Whenever a deposit, which is in form in trust for another, shall be made by any person in any bank or trust company doing business in the District of Columbia, and no other or further notice of the existence and terms of a legal and valid trust shall have been given in writing to the bank or trust company, such deposit, or any part thereof, together with the dividends, or interest thereon, may, in the event of the death of the trustee, be paid to the person for whom such deposit was made or to his legal representative.

Deposits in trust, payment in event of death of trustee.

SEC. 5. It shall be lawful for any notary public who is a stockholder, director, officer, or employee of a bank, trust company, or other corporation to take the acknowledgment of any party to any written instrument executed to or by such corporation, or to administer an oath to any other stockholder, director, officer, employee, or agent of such corporation, or to protest for nonacceptance or nonpayment drafts, checks, notes, acceptances, or other negotiable instruments which may be owned or held for collection by such corporation: *Provided*, That it shall be unlawful for any notary public to take the acknowledgment of an instrument executed by or to a bank or corporation of which he is a stockholder, director, officer or employee, where such notary is a party to such instrument, either individually or as a representative of such corporation, or to protest any negotiable instrument owned or held for collection by such corporation, where such notary is individually a party to such instrument: *Provided further*, That it shall be unlawful for any notary public to take the oath of an officer or director of any bank or trust company of which he is an officer, or to take an oath of any person verifying a report of such bank or trust company to the Comptroller of the Currency.

Notary public holding position, etc., in corporation, acts deemed lawful.

*Provisos.*  
Where notary is party to instrument.

Verification of reports to Comptroller of the Currency.

SEC. 6. No bank or trust company doing business in the District of Columbia shall be liable to a depositor because of the nonpayment through mistake or error and without malice of a check, draft, note, acceptance, or other negotiable instrument, payable at any bank or trust company, which should have been paid unless the depositor shall allege and prove actual damage by reason of such nonpayment and in such event the liability shall not exceed the amount of damage so proved.

Nonpayment of negotiable instruments through error, etc.; liability to depositor.

SEC. 7. Any bank or trust company doing business in the District of Columbia receiving for collection or deposit any check, draft, note, acceptance, or other negotiable instrument drawn upon or payable at any other bank, located outside the District of Columbia, may forward such instrument for collection directly to the bank on which it is drawn or at which it is made payable, and such method of forwarding direct to the payer shall be deemed due diligence, and the failure of such payor bank, because of its insolvency or other default, to account for the proceeds thereof shall not render the forwarding bank liable therefor: *Provided, however*, That such forwarding bank shall have used due diligence in other respects in connection with the collection of such instrument.

Forwarding of negotiable instruments for collection.

Method deemed due diligence.

*Proviso.*  
Duty of forwarding bank.

SEC. 8. (a) Section 456 of the Act entitled "An Act to establish a code of law for the District of Columbia", approved March 3, 1901, as amended (D. C. Code, title 24, sec. 132), is amended by adding at the end thereof the following new sentence: "The garnishee, in any case in which the property or credits attached or sought to be attached is held by him in the name of or for the account of another than the defendant, shall retain such property or credits during the period pending determination by the court of the propriety of the attachment or the rightful owner of such property or credits, and, during such period, shall incur no liability whatsoever for such retention."

Attachment before judgment.  
31 Stat. 1262.  
24 D. C. Code § 132.

Retention of property held by garnishee for another than the defendant.

(b) Section 1090 of such Act, as amended (D. C. Code, title 24, sec. 288), is amended by adding at the end thereof the following new

31 Stat. 1360.  
24 D. C. Code § 288.



sentence: "The garnishee, in any case in which the property or credits attached or sought to be attached is held by him in the name of or for the account of another than the defendant, shall retain such property or credits during the period pending determination by the court of the propriety of the attachment or the rightful owner of such property or credits, and, during such period, shall incur no liability whatsoever for such retention."

Approved, April 5, 1939.

#### [CHAPTER 38]

#### AN ACT

April 5, 1939  
[S. 1123]  
[Public, No. 21]

To amend paragraph 57 of section 8 of the Act entitled "An Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes", approved March 4, 1913.

District of Columbia.

37 Stat. 987.  
26 D. C. Code § 82.

Inspection, etc., of  
gas and electric meters.

Expense, by whom  
borne.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subparagraph fifth, paragraph 57, of section 8 of the Act entitled "An Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes", approved March 4, 1913 (37 Stat. 974), be amended by deleting the words "four per centum, if an electric meter, or more than" and deleting ", if a gas meter," so that the said subparagraph when so amended shall read as follows:

"If any consumer to whom a meter has been furnished shall request the Commission in writing to inspect such meter, the Commission shall have the same inspected and tested; if the same, on being so tested, shall be found to be more than 2 per centum defective or incorrect to the prejudice of the consumer, the inspector shall order the gas or electrical corporation forthwith to remove the same and to place instead a correct meter, and the expense of such inspection and test shall be borne by the corporation; if the same, on being so tested, shall be found to be correct, the expense of such inspection and test shall be borne by the consumer."

Approved, April 5, 1939.

#### [CHAPTER 39]

#### AN ACT

April 5, 1939  
[S. 1125]  
[Public, No. 22]

To provide for the appointment of research assistants in the public schools of the District of Columbia, and for other purposes.

District of Columbia.  
Public schools.  
Research assistants;  
appointment, qualifications, salary.

43 Stat. 367.  
7 D. C. Code § 31.  
Group assignments.

Promotions.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Board of Education is hereby authorized to appoint research assistants who shall qualify for said positions by meeting such eligibility requirements as the said Board may prescribe and who shall on appointment be assigned to salary class 2 of article I of the Teachers' Salary Act, approved June 4, 1924, in accordance with the professional qualifications which they possess at the time of appointment.

SEC. 2. Research assistants shall be appointed to either group A or group C of said salary class 2 in accordance with the eligibility qualifications possessed and the character of duties to be performed by such research assistants.

SEC. 3. Research assistants shall be promoted to group B or group D of said salary class 2 on the basis of such evidence of superior work and increased professional attainments as the Board of Education may prescribe.

SEC. 4. That research assistants shall be classified as teachers for pay-roll purposes and for retirement purposes.

SEC. 5. Appointments, assignments, and transfers authorized in this Act shall be made in accordance with the Act approved June 20, 1906, as amended (Public, Numbered 254).

SEC. 6. This Act shall take effect on July 1, 1939.

Approved, April 5, 1939.

Classification for pay-roll and retirement purposes.

Manner of making appointments, assignments, etc.  
34 Stat. 316.

Effective date.

# [CHAPTER 40]

## AN ACT

To provide alternative methods of enforcement of orders, rules, and regulations of the Joint Board and of the Public Utilities Commission of the District of Columbia.

April 5, 1939

[S. 1126]

[Public, No. 23]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That prosecution for violation of any rule, order, or regulation made, adopted, or approved by the Public Utilities Commission under authority of section 8 of the Act approved March 4, 1913 (37 U. S. Stat. L. 974), or amendments thereto, or section 6 (e) of the Traffic Acts, as amended February 27, 1931 (46 U. S. Stat. L. 1424), or section 7 of the Act approved July 1, 1902 (32 U. S. Stat. L. 590), as amended by the Act approved July 1, 1932 (47 U. S. Stat. L. 550), or by the Joint Board under authority of section 6 (e) of the said Traffic Acts, as amended February 27, 1931, or section 7 of said Act approved July 1, 1902, as amended by said Act approved July 1, 1932, shall be on information in the Police Court of the District of Columbia, in the name of the District of Columbia, by the corporation counsel or any of his assistants. Any person, corporation, or public utility violating any such rule, order, or regulation shall, upon conviction, be fined not more than \$200: *Provided*, That the provisions of this Act shall not be construed to apply to rules, orders, or regulations adopted or promulgated by the Commissioners of the District of Columbia which are not specifically required to be referred to the Joint Board or subject to the approval of such board: *Provided further*, That with respect to orders, rules, or regulations made or adopted by the Public Utilities Commission under authority of section 8 of the said Act approved March 4, 1913, this section shall be construed to apply only to such orders, rules, or regulations as are subject to the penalties specifically provided in paragraph 85 of that Act.

SEC. 2. The provisions of section 1 of this Act and of paragraph 85 of section 8 of the said Act approved March 4, 1913, so far as they relate to the orders, rules, and regulations of the Public Utilities Commission, shall be construed as prescribing alternative methods of enforcement of the orders, rules, or regulations of the Commission, and any order, rule, or regulation adopted by the Public Utilities Commission which is required to be referred to or is subject to the approval of the Joint Board may be enforced either as provided by paragraph 85 of section 8 of the Act approved March 4, 1913, or as provided in section 1 of this Act.

Approved, April 5, 1939.

District of Columbia.

Joint Board and Public Utilities Commission.

Alternative methods of enforcement of orders, rules, and regulations of.

37 Stat. 974.  
46 Stat. 1426.  
32 Stat. 622.  
47 Stat. 550.

Penalty for violation.

*Provisos.*  
Exception.

Limitations as to orders, etc., of Public Utilities Commission.

37 Stat. 992.  
26 D. C. Code § 110.

Construction of provisions.  
37 Stat. 992.  
26 D. C. Code § 110.

## [CHAPTER 41]

## AN ACT

April 5, 1939

[S. 1129]

[Public, No. 24]

To amend paragraphs 31 and 33 of an Act entitled "An Act to amend section 7 of an Act entitled 'An Act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes', approved July 1, 1902, and for other purposes", approved July 1, 1932.

District of Columbia.  
License taxes.  
*Post*, p. 1046.

47 Stat. 555.  
20 D. C. Code, Supp. IV, §§ 1731 (c), (d); 1733.

Passenger vehicles for hire with seating capacity of 8 or more.

Display of license.

Date of license.

*Proviso.*  
Expiration of licenses issued prior to Mar. 1, 1940.

Other passenger vehicles for hire.

Stands.

46 Stat. 1426.  
6 D. C. Code, Supp. IV, § 243 (e).  
Police regulations.

Date of licenses.

*Proviso.*  
Expiration of licenses issued prior to Mar. 1, 1940.

Vehicles for hire, used in hauling goods, etc.  
*Post*, p. 1046.  
Stands.

46 Stat. 1426.  
6 D. C. Code, Supp. IV, § 243 (e).  
Date of licenses.

*Proviso.*  
Expiration of licenses issued prior to Mar. 1, 1940.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That subparagraphs (c) and (d) of paragraph 31 and paragraph 33 of an Act entitled "An Act to amend section 7 of an Act entitled 'An Act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes', approved July 1, 1902, and for other purposes", approved July 1, 1932, are amended to read as follows:

"(c) Owners of passenger vehicles for hire having a seating capacity of eight passengers or more, in addition to the driver or operator, other than those licensed in the preceding subparagraph, shall pay a license tax of \$100 per annum for each vehicle used. No such vehicle shall be operated unless there shall be conspicuously displayed therein a license issued under the terms of this subparagraph. Licenses issued under this subparagraph shall date from March 1 of each year, but may be issued on or after February 15 of such year: *Provided, however*, That all licenses issued for a period prior to March 1, 1940, shall expire on February 29, 1940, and the license fee therefor shall be prorated accordingly.

"(d) Owners of passenger vehicles for hire, whether operated from a private establishment or from public space, other than those licensed in the two preceding subparagraphs, shall pay a license tax of \$25 per annum for each such vehicle used in the conduct of their business. Stands for such vehicles upon public space, adjacent to hotels or otherwise, may be established in the manner provided in section 6 (e) of the Act entitled 'An Act to amend the Acts approved March 3, 1925, and July 3, 1926, known as the District of Columbia Traffic Acts, and so forth'. The Public Utilities Commission is hereby authorized to make and enforce all such reasonable and usual police regulations as it may deem necessary for the proper conduct, control, and regulation of all vehicles described in this and the preceding subparagraphs and paragraph 33 hereof. Licenses issued under this subparagraph shall date from March 1 of each year, but may be issued on or after February 15 of such year: *Provided, however*, That all licenses issued for a period prior to March 1, 1940, shall expire on February 29, 1940, and the license fee therefor shall be prorated accordingly.

"PAR. 33. Owners of vehicles for hire, used in hauling goods, wares, or merchandise, and operating from public space, shall pay a license tax of \$25 per annum for each vehicle. Stands for such vehicles upon public space may be established in the manner provided in section 6 (e) of the Act entitled 'An Act to amend the Acts approved March 3, 1925, and July 3, 1926, known as the District of Columbia Traffic Acts, and so forth'. Licenses issued under this subparagraph shall date from March 1 of each year, but may be issued on or after February 15 of such year: *Provided, however*, That all licenses issued for a period prior to March 1, 1940, shall expire on February 29, 1940, and the license fee therefor shall be prorated accordingly."

Approved, April 5, 1939.

## [CHAPTER 42]

## AN ACT

To amend Public Law Numbered 111, Sixty-sixth Congress, entitled "An Act for the retirement of public-school teachers in the District of Columbia."

April 5, 1939  
[S. 1130]

[Public, No. 25]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 10 of the Act entitled "An Act for the retirement of public-school teachers in the District of Columbia", approved January 15, 1920, as amended, is further amended to read as follows:

"That every teacher from whose salary retirement deductions are made in accordance with this Act shall be required to designate in writing a beneficiary or beneficiaries to whom the amount of his deductions, together with interest then credited thereon, shall be payable in the event of the death of such teacher.

District of Columbia.  
Retirement of public-school teachers.  
41 Stat. 389.  
7 D. C. Code § 70.

Designation of beneficiary to whom deductions payable in event of death.

"SEC. 2. In the event of death of any such teacher the order of precedence of payments shall be as follows: First, to the beneficiary, or beneficiaries, designated in writing by the teacher and recorded on his or her individual account; second, if there be no such beneficiary or beneficiaries designated, then to the duly appointed executor, or administrator, of the estate; third, if there be no such beneficiary, or if an executor or administrator be not appointed within six months after the death of such teacher, payment shall be made into the registry of the District Court of the United States for the District of Columbia."

Order of precedence of payments.

Approved, April 5, 1939.

## [CHAPTER 43]

## AN ACT

To amend section 9, article V, of an Act known as "An Act to amend the Act entitled 'An Act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia', approved June 20, 1906, as amended, and for other purposes."

April 5, 1939  
[S. 1295]

[Public, No. 26]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 9, article V, of an Act known as "An Act to amend the Act entitled 'An Act to fix and regulate the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia', approved June 20, 1906, as amended, and for other purposes", approved June 4, 1924, be amended to read as follows:

District of Columbia.  
Public schools.

43 Stat. 373.  
7 D. C. Code § 38.

"SEC. 9. That every teacher in the service on July 1, 1924, except as herein otherwise provided, and every teacher thereafter appointed, shall be assigned to group A of the class to which eligible or to group C of class 2 and shall be promoted to group D of class 2 or group B of any class on the basis of such evidence of superior teaching and of increased professional attainments as the Board of Education may prescribe: *Provided*, That teachers receiving salaries in group B of class 6 on June 30, 1924, and teachers receiving salaries in group A of class 6 who on June 30, 1924, are on the eligible list for promotion to group B of class 6, shall be assigned to group B of class 3 on July 1, 1924, without further examination or additional qualifications: *Provided further*, That no person who has not received for at least one year the maximum salary of group A in any class or group C of class 2 shall be eligible for promotion to group B of any class or group D of class 2: *And provided further*, That the number of group B and group D salaries shall be divided proportionately between the teachers in the white schools and the teachers in the colored schools on the basis of the enrollment of pupils in the respective white and colored schools."

Assignments and promotions on basis of superior teaching, etc.

*Provisos.*  
Assignment of eligibles to group B of class 3 without examination.

Restriction on promotions to group B, and group D of class 2.

Proportionate division of group B and D salaries.

Approved, April 5, 1939.

## [CHAPTER 44]

## AN ACT

April 5, 1939  
[H. R. 3801]  
[Public, No. 27]

To extend the time for retirement of cotton pool participation trust certificates.

Cotton pool participation trust certificates.  
52 Stat. 747.  
Authority of manager to purchase, extension of time limit.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the appropriation of \$1,800,000 made in the Department of Agriculture Appropriation Act, 1939, under the item entitled "Retirement of cotton pool participation trust certificates" shall remain available until December 31, 1939, and the authority of the manager, cotton pool, to purchase and pay for participation trust certificates, Form C-5-I, shall extend to and include the 30th day of September 1939, but after the expiration of said limit the purchase may be consummated of any such certificates tendered to the manager, cotton pool, on or before September 30, 1939, but where for any reason the purchase price shall not have been paid by the manager, cotton pool.

Approved, April 5, 1939.

## [CHAPTER 45]

## AN ACT

April 6, 1939  
[S. 917]  
[Public, No. 28]

Authorizing the Library of Congress to acquire by purchase, or otherwise, the whole, or any part, of the papers of Charles Cotesworth Pinckney and Thomas Pinckney, including therewith a group of documents relating to the Constitutional Convention of 1787, now in the possession of Harry Stone, of New York City.

Library of Congress.  
Acquisition of papers of Charles Cotesworth Pinckney and Thomas Pinckney, and other documents.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Library of Congress is hereby authorized and empowered to acquire by purchase, or otherwise, the whole, or any part, of the papers of Charles Cotesworth Pinckney and Thomas Pinckney, including therewith a group of documents relating to the Constitutional Convention of 1787, now in the possession of Harry Stone, of 24 East Fifty-eighth Street, New York, New York, and there is hereby authorized to be appropriated to the Library of Congress for that purpose not to exceed the sum of \$37,500.

Approved, April 6, 1939.

## [CHAPTER 47]

## AN ACT

April 10, 1939  
[S. 1019]  
[Public, No. 29]

To authorize the Secretary of War to pay certain expenses incident to the training, attendance, and participation of the equestrian and modern pentathlon teams in the Twelfth Olympic Games.

Twelfth Olympic Games.  
Participation of Regular Army authorized.  
*Provided,*  
Expenses charged to Army appropriations.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War is hereby authorized to direct the training and attendance of personnel and animals of the Regular Army as participants in the Twelfth Olympic Games: *Provided,* That all expenses incident to training, attendance, and participation in the Twelfth Olympic Games, including the use of such supplies, material, and equipment as in the opinion of the Secretary of War may be necessary, may be charged to the appropriations for the support of the Army: *Provided further,* That applicable allowances which are or may be fixed by law or regulations for participation in other military activities shall not be exceeded.

Allowances not to be exceeded.

Approved, April 10, 1939.

## [CHAPTER 48]

## AN ACT

To repeal subsection (4) of subsection (c) of section 101 of the Agricultural Adjustment Act of 1938.

April 10, 1939  
[S. 1363]  
[Public, No. 30]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection (4) of subsection (c) of section 101 of the Agricultural Adjustment Act of 1938, which reads as follows:*

"(4) Notwithstanding any other provision of this subsection, if, for any reason other than flood or drought, the acreage of wheat, cotton, corn, or rice planted on the farm is less than 80 per centum of the farm acreage allotment for such commodity for the purpose of payment, such farm acreage allotment shall be 25 per centum in excess of such planted acreage";

is hereby repealed.

Approved, April 10, 1939.

Agricultural Adjustment Act of 1938, subsection repealed.  
52 Stat. 33.  
16 U. S. C., Supp. IV, § 590b.  
Acreage planted less than allotment.

## [CHAPTER 49]

## JOINT RESOLUTION

Authorizing appropriation for expenses of a representative of the United States and of his assistants, and for one-half of the joint expenses of this Government and the Government of Mexico, in giving effect to the agreement of November 9-12, 1938, between the two Governments providing for the settlement of American claims for damages resulting from expropriations of agrarian properties since August 30, 1927.

April 10, 1939  
[S. J. Res. 46]  
[Pub. Res., No. 8]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to provide for the expenses of participation by the United States in the settlement, in pursuance of the agreement of November 9-12, 1938, of claims of citizens of the United States against the Government of Mexico on account of expropriations of agrarian properties since August 30, 1927, including personal services in the District of Columbia or elsewhere without reference to the Classification Act of 1923, as amended; rent of offices, electric service, drinking water, rooms and rent, and purchase of equipment for the use of the representative of the United States and his assistants, in addition, if deemed necessary by the Secretary of State, to the lawful per diem; stenographic, reporting, and translating services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); traveling expenses; communication service; purchase of law books and books of reference; transportation of things; printing and binding; office supplies; official cards; entertainment; expenses and honorarium of a neutral umpire in the event such an appointment is found necessary; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified: *Provided*, That any expenditures from the amount herein authorized to be appropriated shall become a first charge upon any moneys received from the Government of Mexico in settlement of the respective claims, and the amount of such expenditures shall be deducted from the first payment by the Mexican Government and deposited in the Treasury of the United States as miscellaneous receipts: *And provided further*, That the representative of the United States shall, upon the completion of his work, submit a report to the Secretary of State, attaching thereto (a) a statement of the expenses of himself, his assistants, and of the umpire, in case an umpire is designated, (b) a list of all claims rejected, (c) a list of all claims allowed in whole*

Expropriations of agrarian properties in Mexico.  
Appropriation authorized for expenses of participation in settlement of claims.  
*Post*, p. 1324.

Personal services.  
5 U. S. C. §§ 661-674;  
Supp. IV, §§ 673, 673c.

Contract services without advertising.  
R. S. § 3709.  
41 U. S. C. § 5.

Neutral umpire.

Reimbursement of other appropriations.

*Provisos*.  
Deduction of expenditures from first payment.

Report of U. S. representative; contents.

Certified copies to  
Secretary of the Treas-  
ury.  
Payments in ratable  
proportions.

or in part, together with the amount of each claim and the amount awarded thereon, and (d) a statement of the reasons for the allowance or disallowance in each case. Certified copies of (a) and (c) shall be transmitted by the Secretary of State to the Secretary of the Treasury, who shall, after making the deduction provided for above, distribute in ratable proportions, among the persons in whose favor awards shall have been made, or their assignees, heirs, executors or administrators of record, according to the proportions which their respective awards shall bear to the whole amount available from time to time for such distribution, such moneys as may have been received into the Treasury in virtue of the agreement of November 9-12, 1938.

Approved, April 10, 1939.

[CHAPTER 58]

AN ACT

To amend the Canal Zone Code.

April 12, 1939  
[H. R. 3577]  
[Public, No. 31]

Canal Zone Code,  
amendment.

49 Stat. 1904.  
48 U. S. C., Supp.  
IV, § 1371c.

Disability retire-  
ment of employees;  
annuity.

Provisos.  
Proof of conduct.

Reinstatement of  
claims.

Limitation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the first paragraph of subsection (b) of section 94 of title 2, Canal Zone Code, as amended by section 2 of the Act of June 24, 1936 (49 Stat. 1904), is amended to read as follows:

“(b) Any employee to whom this article applies who shall have served for a total period of not less than five years, and who, before becoming eligible for retirement under the conditions defined in section 92 of this title, shall have become totally disabled for useful and efficient service in the grade or class of position occupied by the employee, by reason of disease or injury not due to vicious habits, intemperance, or willful misconduct on the part of the employee, shall upon his own application or upon request or order of the Governor of the Panama Canal, be retired on an annuity computed in accordance with the provisions of section 96 of this title: *Provided*, That proof of freedom from vicious habits, intemperance, or willful misconduct for a period of more than five years next prior to becoming so disabled for useful and efficient service, shall not be required in any case; and the claim of any employee which was or would have been disallowed under this section by reason of the requirement of such proof with respect to a longer period than five years, shall upon request of the applicant be reinstated, and shall thereupon be redetermined under the provisions of the section as herein amended: *Provided further*, That such claim is now on file with the Civil Service Commission or is executed within six months from the enactment of this Act.

Approved, April 12, 1939.

[CHAPTER 59]

AN ACT

Relating to the taxation of the compensation of public officers and employees.

April 12, 1939  
[H. R. 3790]  
[Public, No. 32]

Public Salary Tax  
Act of 1939.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the “Public Salary Tax Act of 1939”.

TITLE I

“Gross income”, def-  
inition amended.  
*Ante*, p. 9.  
I. R. C. § 22 (a).

SECTION 1. Section 22 (a) of the Internal Revenue Code (relating to the definition of “gross income”) is amended by inserting after the words “compensation for personal service” the following: (“including personal service as an officer or employee of a State, or any

political subdivision thereof, or any agency or instrumentality of any one or more of the foregoing)".

SEC. 2. Section 116 (b) of the Internal Revenue Code (exempting compensation of teachers in Alaska and Hawaii from income tax) is repealed.

SEC. 3. Section 22 (a) of the Internal Revenue Code is amended by adding at the end thereof a new sentence to read as follows: "In the case of judges of courts of the United States who took office on or before June 6, 1932, the compensation received as such shall be included in gross income".

SEC. 4. The United States hereby consents to the taxation of compensation, received after December 31, 1938, for personal service as an officer or employee of the United States, any Territory or possession or political subdivision thereof, the District of Columbia, or any agency or instrumentality of any one or more of the foregoing, by any duly constituted taxing authority having jurisdiction to tax such compensation, if such taxation does not discriminate against such officer or employee because of the source of such compensation.

## TITLE II

SEC. 201. Any amount of income tax (including interest, additions to tax, and additional amounts) for any taxable year beginning prior to January 1, 1938, to the extent attributable to compensation for personal service as an officer or employee of a State, or any political subdivision thereof, or any agency or instrumentality of any one or more of the foregoing—

(a) shall not be assessed, and no proceeding in court for the collection thereof shall be begun or prosecuted (unless pursuant to an assessment made prior to January 1, 1939);

(b) if assessed after December 31, 1938, the assessment shall be abated, and any amount collected in pursuance of such assessment shall be credited or refunded in the same manner as in the case of an income tax erroneously collected; and

(c) shall, if collected on or before the date of the enactment of this Act, be credited or refunded in the same manner as in the case of an income tax erroneously collected, in the following cases—

(1) Where a claim for refund of such amount was filed before January 19, 1939, and was not disallowed on or before the date of the enactment of this Act;

(2) Where such claim was so filed but has been disallowed and the time for beginning suit with respect thereto has not expired on the date of the enactment of this Act;

(3) Where a suit for the recovery of such amount is pending on the date of the enactment of this Act; and

(4) Where a petition to the Board of Tax Appeals has been filed with respect to such amount and the Board's decision has not become final before the date of the enactment of this Act.

SEC. 202. In the case of any taxable year beginning after December 31, 1937, and before January 1, 1939, compensation for personal service as an officer or employee of a State, or any political subdivision thereof, or any agency or instrumentality of any one or more of the foregoing, shall not be included in the gross income of any individual under Title I of the Revenue Act of 1938 and shall be exempt from taxation under such title, if such individual either—

(a) did not include in his return for a taxable year beginning after December 31, 1936, and before January 1, 1938, any amount as compensation for personal service as an officer or employee of a State, or any political subdivision thereof, or any agency or instrumentality of any one or more of the foregoing; or

Teachers in Alaska and Hawaii, compensation.

*Ante*, p. 48.  
I. R. C. § 116 (b).  
Judges taking office on or before June 6, 1932, inclusion of compensation in gross income.

*Ante*, p. 9.  
I. R. C. § 22 (a).

U. S. consent to taxation of pay of Federal, etc., officer or employee received after December 31, 1938.

Condition.

Income tax.  
Retroactive relief to State, etc., personnel in designated cases.

Tax exemption of certain State, etc., personnel during period specified.

52 Stat. 447.  
26 U. S. C., Supp. IV, §§ 1-330b.



(b) did include any such amount in such return, but is entitled under section 201 of this Act to have the tax attributable thereto credited or refunded.

Credits and refunds.

SEC. 203. Any amount of income tax (including interest, additions to tax, and additional amounts) collected on, before, or after the date of the enactment of this Act for any taxable year beginning prior to January 1, 1939, to the extent attributable to compensation for personal service as an officer or employee of a State, or any political subdivision thereof, or any agency or instrumentality of any one or more of the foregoing, shall be credited or refunded in the same manner as in the case of an income tax erroneously collected, if claim for refund with respect thereto is filed after January 18, 1939, and the Commissioner of Internal Revenue, under regulations prescribed by him with the approval of the Secretary of the Treasury, finds that disallowance of such claim would result in the application of the doctrines in the cases of *Helvering against Therrell* (303 U. S. 218), *Helvering against Gerhardt* (304 U. S. 405), and *Graves et al. against New York ex rel O'Keefe*, decided March 27, 1939, extending the classes of officers and employees subject to Federal taxation.

Time for filing claim.

Where claim barred by statute of limitations.

SEC. 204. Neither section 201 nor section 203 shall apply in any case where the claim for refund, or the institution of the suit, or the filing of the petition with the Board, was, at the time filed or begun, barred by the statute of limitations properly applicable thereto.

Compensation construed.

SEC. 205. Compensation shall not be considered as compensation within the meaning of sections 201, 202, and 203 to the extent that it is paid directly or indirectly by the United States or any agency or instrumentality thereof.

Meaning of terms.  
*Ante*, p. 4.  
I. R. C. ch. 1.

SEC. 206. The terms used in this Act shall have the same meaning as when used in Chapter I of the Internal Revenue Code.

Restriction on collection of taxes by State and local authorities, etc.

SEC. 207. No collection of any tax (including interest, additions to tax, and penalties) imposed by any State, Territory, possession, or local taxing authority on the compensation, received before January 1, 1939, for personal service as an officer or employee of the United States or any agency or instrumentality thereof which is exempt from Federal income taxation and, if a corporate agency or instrumentality, is one (a) a majority of the stock of which is owned by or on behalf of the United States, or (b) the power to appoint or select a majority of the board of directors of which is exercisable by or on behalf of the United States, shall be made after the date of the enactment of this Act.

Exempt agencies.

Title inapplicable where State, etc., taxes compensation received prior to Jan. 1, 1939.

SEC. 208. This title shall not apply with respect to any officer or employee of a State, or any political subdivision thereof, or any agency or instrumentality of any one or more of the foregoing, after the Secretary of the Treasury has determined and proclaimed that it is the policy of such State to collect from any individual any tax, interest, additions to tax, or penalties, on account of compensation received by such individual prior to January 1, 1939, for personal service as an officer or employee of the United States or any agency or instrumentality thereof. In making such determination the Secretary of the Treasury shall disregard the taxation of officers and employees of any corporate agency or instrumentality which is not exempt from Federal income taxation, or which if so exempt is one (a) a majority of the stock of which is not owned by or on behalf of the United States and (b) the power to appoint or select a majority of the board of directors of which is not exercisable by or on behalf of the United States.

SEC. 209. In the case of the judges of the Supreme Court, and of the inferior courts of the United States created under article III of the Constitution, who took office on or before June 6, 1932, the compensation received as such shall not be subject to income tax under the Revenue Act of 1938 or any prior revenue Act.

Exempt judges.

52 Stat. 447.  
26 U. S. C., Supp.  
IV, ch. 1.

SEC. 210. For the purposes of this Act, the term "officer or employee" includes a member of a legislative body and a judge or officer of a court.

Term construed.

SEC. 211. If either title of this Act, or the application thereof to any person or circumstances, is held invalid, the other title of the Act shall not be affected thereby.

Separability of provisions.

Approved, April 12, 1939.

## [CHAPTER 60]

### AN ACT

To authorize and direct the Comptroller General of the United States to allow credit for all outstanding disallowances and suspensions in the accounts of the disbursing officers or agents of the Government for payments made to certain employees appointed by the United States Employees' Compensation Commission.

April 12, 1939  
[S. 885]

[Public, No. 33]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That notwithstanding the provisions of section 203 of the Act of June 30, 1932 (47 Stat. 403), as continued in effect during the fiscal years 1934 and 1935 by section 4 (a) of the Act of March 3, 1933 (47 Stat. 1513), and section 24 of the Act of March 28, 1934 (48 Stat. 522), the Comptroller General of the United States is hereby authorized and directed to allow credit for all otherwise proper payments made to employees appointed by the United States Employees' Compensation Commission, without approval by the President of the United States, to fill vacancies resulting from the advancement of employees of lower grades in connection with the filling of a vacancy which the President had authorized to be filled; and no amount so paid shall be charged against or recovered from the employees to whom such payments were made.

U. S. Employees'  
Compensation Com-  
mission.  
47 Stat. 403, 1513.

48 Stat. 522.  
Allowance of credit  
for payments to cer-  
tain employees.

Accountability.

Approved, April 12, 1939.

## [CHAPTER 61]

### JOINT RESOLUTION

Amending the joint resolution entitled "Joint resolution providing for the construction and maintenance of a National Gallery of Art", approved March 24, 1937.

April 13, 1939

[H. J. Res. 225]

[Pub. Res., No. 9]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the last sentence of section 4 (a) of the joint resolution entitled "Joint resolution providing for the construction and maintenance of a National Gallery of Art", approved March 24, 1937, is hereby amended to read as follows: "For these purposes, and to provide, prior to the completion of the National Gallery of Art, for the protection and care of the works of art in said Gallery and for administrative and operating expenses and equipment preparatory to the opening of the Gallery to the public, there are hereby authorized to be appropriated such sums as may be necessary."

National Gallery of  
Art.  
Appropriation au-  
thorized for care of  
works of art, etc.,  
prior to completion of.  
50 Stat. 52.  
Post, p. 984.

Approved, April 13, 1939.

## [CHAPTER 62]

## JOINT RESOLUTION

April 13, 1939  
[H. J. Res. 246]  
[Pub. Res., No. 10]

Making a further additional appropriation for work relief and relief for the fiscal year ending June 30, 1939.

Work relief and relief.  
Further additional appropriation for fiscal year 1939.  
*Ante*, p. 507.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the amount of \$725,000,000 appropriated to the Works Progress Administration in section 1 of Public Resolution Numbered 1, Seventy-sixth Congress, entitled "Joint resolution making an additional appropriation for work relief and relief for the fiscal year ending June 30, 1939", approved February 4, 1939, is hereby increased to \$825,000,000, and the difference of \$100,000,000 between such two amounts is hereby appropriated, out of any money in the Treasury not otherwise appropriated.

Approved, April 13, 1939.

## [CHAPTER 70]

## AN ACT

April 13, 1939  
[S. 612]  
[Public, No. 34]

For the relief of certain disbursing officers of the Army of the United States and for the settlement of individual claims approved by the War Department.

Army disbursing officers.  
Credits allowed in accounts of designated.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of the following disbursing officers of the Army of the United States the amounts set opposite their names: Captain Emmett J. Bean, Finance Department, \$29.05; Lieutenant Colonel Richard L. Cave, Finance Department, \$180; Captain Harold F. Chrisman, Finance Department, \$57.15; Lieutenant Colonel Walter D. Dabney, Finance Department, \$35.72; Major Henry M. Denning, Finance Department, \$50.28; Lieutenant Colonel Edwin F. Ely, Finance Department, \$111; Lieutenant Colonel Horace G. Foster, Finance Department, \$55; First Lieutenant John R. Gilchrist, Finance Department, \$65.10; Captain Charles W. Hensey, Finance Department, \$19.59; Major George F. MacDonald, Finance Department, \$5; Major Arthur J. Perry, Finance Department, \$26.28; Captain Alexander H. Perwein, Infantry, \$407.88; Captain Leighton N. Smith, Finance Department, \$14; said amounts being public funds for which they are accountable and which comprise minor errors in computation of pay and allowances due former members of the Civilian Conservation Corps, who are no longer enrolled in that corps, and which amounts have been disallowed by the Comptroller General of the United States: *Provided*, That no part of the amounts so credited shall be later charged against any individual other than the various payees.

*Proviso.*  
Accountability.

Lt. Col. Richard L. Cave.

SEC. 2. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Lieutenant Colonel Richard L. Cave, Finance Department, the sum of \$100, public funds for which he is accountable and which were paid to the Cox Fence Company for construction work and disallowed by the Comptroller General of the United States.

SEC. 3. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Lieutenant Colonel Richard L. Cave, Finance Department, the sum of \$19.83, public funds for which he is accountable, and which has been disallowed by the Comptroller General of the United States on account of a payment made to a former officer of the Officers' Reserve Corps.

SEC. 4. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Lieutenant Colonel Edward T. Comegys, Finance Department, the sum of \$857.77, public funds for which he is accountable and which represent items disallowed by the Comptroller General of the United States on account of payments made for the shipment of baggage and household effects of certain personnel of the Third Attack Group from Fort Crockett, Texas, to Barksdale Field, Louisiana: *Provided*, That any amounts collected from any person on account of payments herein validated shall be refunded to such person upon presentation of a claim therefor to the Comptroller General.

Lt. Col. Edward T. Comegys.

*Proviso.*  
Refund of collections.

SEC. 5. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Lieutenant Colonel Walter D. Dabney, Finance Department, \$242.17; Lieutenant Colonel Cherubusco Newton, Junior, Finance Department, \$553.67; and Lieutenant Colonel Edward T. Comegys, Finance Department, \$1,452.41; public funds for which they are accountable and which were paid by them to J. Irving Nicholls for services performed as a shorthand reporter at Fort Sam Houston, Texas, during the period August 13, 1925, to February 20, 1935, and which amounts have been disallowed by the Comptroller General of the United States: *Provided*, That no part of these amounts shall be charged against any person other than the payee.

Lt. Col. Walter D. Dabney and others.

*Proviso.*  
Accountability.

SEC. 6. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Lieutenant Colonel Edwin F. Ely, Finance Department, the sum of \$10.50, public funds for which he is accountable, and which has been disallowed by the Comptroller General of the United States on account of a payment made to a former enlisted man for flying pay.

Lt. Col. Edwin F. Ely.

SEC. 7. That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Major Malcolm V. Fortier, Infantry, the sum of \$51.26 in full satisfaction of his claim against the United States for that amount which was paid by him for advertising for and in the interests of the United States, without the prior approval of the Secretary of War as required by Revised Statutes 3828 (44 U. S. C. 324).

Maj. Malcolm V. Fortier.  
Payment to.

R. S. § 3828.  
44 U. S. C. § 324.

SEC. 8. That payments heretofore made for hospital and medical expenses incident to the injury or disease of Reserve officers on duty with the Civilian Conservation Corps, incurred while on leave of absence, are hereby ratified and validated, and the Comptroller General of the United States is hereby directed to allow credit in the accounts of disbursing officers of the Government for and on account of all such payments: *Provided*, That any amounts collected from any person on account of payments which are herein validated shall be refunded to such persons upon presentation of a claim therefor to the Comptroller General: *Provided further*, That the Comptroller General is authorized and directed to adjust, allow, and certify for payment all claims when approved by the Surgeon General of the Army for hospital and medical services heretofore furnished incident to the injury or disease of Reserve officers on duty with the Civilian Conservation Corps incurred while on leave of absence.

Certain payments for hospital and medical expenses validated.

*Provisos.*  
Refunds.

Medical, etc., claims of Reserve officers on duty with Civilian Conservation Corps.

SEC. 9. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of First Lieutenant John R. Gilchrist, Finance Department, the sum of \$1.25, public funds for which he is accountable, which were paid by him to Doctor Dewey H. Walden, contract physician, for traveling expenses and disallowed by the Comptroller General of the United States.

Credits in accounts.  
First Lt. John R. Gilchrist.

Capt. Charles W.  
Hensey.

SEC. 10. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Captain Charles W. Hensey, Finance Department, the sum of \$7.68, public funds for which he is accountable, which sum has been disallowed by the Comptroller General of the United States on account of a payment made to an enlisted man: *Provided*, That no part of this amount shall be charged to any person other than the payee.

*Proviso.*  
Accountability.

SEC. 11. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Captain Charles W. Hensey, Finance Department, the sum of \$7.45, public funds for which he is accountable, which sum has been disallowed by the Comptroller General of the United States on account of an overpayment made to a former member of a citizens' military training camp: *Provided*, That no part of this amount shall be charged to any person other than the payee.

*Proviso.*  
Accountability.

Lt. Col. Eugene O.  
Hopkins.

SEC. 12. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Lieutenant Colonel Eugene O. Hopkins, Finance Department, the sum of \$28.68, public funds for which he is accountable, which were paid to a former soldier as additional pay as an expert gunner and disallowed by the Comptroller General of the United States.

Capt. Donald J.  
Leehey.

SEC. 13. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Captain Donald J. Leehey, Corps of Engineers, \$5,100, representing part of an amount paid by him for rental of temporary office quarters, shop storage, wharf and dock at Eastport, Maine, for the fiscal year 1936, under lease with the MacNichol Packing Company, which amount has been disallowed by the Comptroller General of the United States: *Provided*, That the amounts so credited shall not be charged against any moneys otherwise due the payees.

*Proviso.*  
Accountability.

Lt. Col. Montgom-  
ery T. Legg.

SEC. 14. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Lieutenant Colonel Montgomery T. Legg, Finance Department, the sum of \$150, public funds for which he is accountable, and which were stolen from the office safe of his agent officer at Camp S-123, Corning, New York, on January 16, 1938.

SEC. 15. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Lieutenant Colonel Montgomery T. Legg, Finance Department, the sum of \$126, public money for which he is accountable, paid by him on a forged voucher.

Lt. Col. Emmett C.  
Morton.

SEC. 16. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Lieutenant Colonel Emmett C. Morton, Finance Department, the sum of \$4,009.45, public funds for which he is accountable, and which were paid by him on fraudulent vouchers prepared by a trusted employee.

Maj. Arthur J.  
Perry.

SEC. 17. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Major Arthur J. Perry, Finance Department, \$2.38, public funds for which he is accountable, which were paid to a former enlisted man of the Army as pay and disallowed by the Comptroller General of the United States.

SEC. 18. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Major Arthur J. Perry, Finance Department, \$12.85, public funds for which he is accountable, which were paid by him to First Lieutenant W. W. Hudgens, Infantry Reserve, for travel expenses, and which have been disallowed by the Comptroller General of the United

States: *Provided*, That no part of this sum shall be charged to any person other than the payee.

SEC. 19. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Captain Alexander H. Perwein, Infantry, \$32.10, public funds for which he is accountable, which were paid to a former enlisted man of the Army as pay, and disallowed by the Comptroller General of the United States.

SEC. 20. That the Comptroller General be, and he is hereby, authorized and directed to credit in the accounts of Major Louis H. Price (deceased), Finance Department, \$21.15, public funds for which he is accountable, which were paid by him to the Dyson Paper Board Company and which have been disallowed by the Comptroller General of the United States: *Provided*, That no part of this amount shall be charged against any person other than the payee.

SEC. 21. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Major Leonard H. Sims, Finance Department, the sum of \$126.55, public funds for which he is accountable, which were stolen from the safe of his agent officer at Company 449, Civilian Conservation Corps, Camp Florida, P-79, Jacksonville, Florida, by a person or persons unknown.

SEC. 22. That the Comptroller General of the United States be, and he is hereby, authorized and directed to credit in the accounts of Captain Fiorre J. Stagliano, Finance Department, \$1,035.42, public funds for which he is accountable and which were paid by him for the rental of passenger-carrying vehicles used by the Puerto Rican Hurricane Commission, and which amount has been disallowed by the Comptroller General of the United States.

Approved, April 13, 1939.

*Proviso.*  
Accountability.

Capt. Alexander H.  
Perwein.

Maj. Louis H. Price  
(deceased).

*Proviso.*  
Accountability.

Maj. Leonard H.  
Sims.

Capt. Fiorre J.  
Stagliano.

#### [CHAPTER 71]

##### AN ACT

To authorize the Department of Labor to continue to make special statistical studies upon payment of the cost thereof, and for other purposes.

April 15, 1939  
[S. 2021]

[Public, No. 35]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the authorization contained in the Act entitled "An Act to authorize the Department of Labor to make special statistical studies upon the payment of the cost thereof, and for other purposes", approved April 13, 1934 (48 Stat. 582), as amended, is hereby extended without limitation as to time.

Approved, April 15, 1939.

Department of La-  
bor.  
Special statistical  
studies by, continued.

48 Stat. 582; 49  
Stat. 154; 50 Stat. 259.

#### [CHAPTER 73]

##### AN ACT

To increase the authorization for appropriations for the administration of State unemployment compensation laws.

April 19, 1939  
[H. R. 5482]

[Public, No. 36]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 301 of the Social Security Act is amended to read as follows:

"Sec. 301. For the purpose of assisting the States in the administration of their unemployment compensation laws, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1936, the sum of \$4,000,000, for each fiscal year thereafter up to and including the fiscal year ending June 30, 1938, the sum of \$49,000,000, and

Social Security Act  
amendment.  
49 Stat. 626.  
42 U. S. C., Supp.  
IV, § 501.  
State unemploy-  
ment compensation  
laws, appropriations  
authorized for admin-  
istration of.

for the fiscal year ending June 30, 1939, and for each fiscal year thereafter, the sum of \$80,000,000, to be used as hereinafter provided."

Approved, April 19, 1939.

[CHAPTER 74]

AN ACT

April 20, 1939  
[S. 829]  
[Public, No. 37]

To authorize alterations and repairs to certain naval vessels, and for other purposes.

Certain naval vessels; alterations, etc., authorized.  
*Post*, p. 1045.

49 Stat. 482.  
5 U. S. C., Supp. IV, § 468a.  
*Proviso*.  
Limitation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That for the purpose of modernizing the United States ships Argonaut, Narwhal, and Nautilus, alterations and repairs to such vessels are hereby authorized and expenditures therefor shall not be limited by the provisions of the Act approved July 18, 1935 (49 Stat. 482; 5 U. S. C. 468a): *Provided*, That the total cost of such alterations and repairs shall not exceed \$5,000,000.

Approved, April 20, 1939.

[CHAPTER 75]

AN ACT

April 20, 1939  
[H. R. 136]  
[Public, No. 38]

To authorize contingent expenditures, United States Coast Guard Academy.

U. S. Coast Guard Academy.  
Appropriation for contingent expenditures authorized.  
*Post*, p. 1326.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, not to exceed \$2,500 for any fiscal year, for contingencies for the Superintendent, United States Coast Guard Academy, to be expended in his discretion and by his direction.

Approved, April 20, 1939.

[CHAPTER 76]

AN ACT

April 20, 1939  
[H. R. 3946]  
[Public, No. 39]

To authorize the attendance of the Marine Band at the United Confederate Veterans' 1939 reunion at Trinidad, Colorado, August 22, 23, 24, and 25, 1939, and for other purposes.

United Confederate Veterans' reunion, Trinidad, Colo.  
Attendance of Marine Band authorized.

Appropriation authorized.  
*Post*, p. 777.

*Proviso*.  
Allowances.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President is authorized to permit the band of the United States Marine Corps to attend and give concerts at the United Confederate Veterans' reunion to be held at Trinidad, Colorado, on August 22, 23, 24, and 25, 1939.

SEC. 2. For the purpose of defraying the expenses of such band in attending and giving concerts at such reunion there is authorized to be appropriated the sum of \$10,500, or so much thereof as may be necessary, to carry out the provisions of this Act: *Provided*, That in addition to transportation and Pullman accommodations the leaders and members of the Marine Band be allowed not to exceed \$5 per day each for actual living expenses while on this duty, and that the payment of such expenses shall be in addition to the pay and allowances to which they would be entitled while serving at their permanent station.

Approved, April 20, 1939.

## [CHAPTER 77]

## JOINT RESOLUTION

To authorize the painting of the signing of the Constitution for placement in the Capitol Building.

April 20, 1939  
[H. J. Res. 224]  
[Pub. Res., No. 11]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That a commission consisting of the Vice President of the United States, the Speaker of the House of Representatives, and the Architect of the Capitol be, and is hereby, created and authorized and directed to employ an artist to paint upon canvas (approximately twenty feet by thirty feet in size), at a price not exceeding \$30,000, a painting of the scene at the signing of the Constitution. The said painting shall be subject to the approval of the Joint Committee on the Library, and, when so approved, shall be mounted in a space in the Capitol Building to be selected by the commission. The commission shall consult the Commission of Fine Arts and any suggestion for such suitable painting by any artist shall be considered by the Commission.

Approved, April 20, 1939.

Capitol Building.  
Painting of signing  
of Constitution au-  
thorized for placement  
in.  
Post, p. 981.

Price limitation.

## [CHAPTER 84]

## AN ACT

To amend the Act entitled "An Act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor", approved February 23, 1931.

April 24, 1939  
[H. R. 3655]  
[Public, No. 40]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act entitled "An Act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor", approved February 23, 1931, be, and the same is hereby, amended as follows:

Section 3 of said Act is amended to read as follows:

"SEC. 3. That the Secretary of State is hereby authorized, at posts where in his judgment it is required by the public interests for the purpose of meeting the unusual or excessive costs of living ascertained by him to exist, to grant compensation to clerks assigned there in addition to the basic rates herein specified, and also to other employees in the Foreign Service of the United States who are American citizens in addition to the basic rates of their salaries as fixed by the Secretary of State, within such appropriations as Congress may make for such purpose: *Provided, however,* That all such additional compensation with the reasons therefor shall be reported to Congress with the annual Budget."

SEC. 2. Section 10 of said Act is amended to read as follows:

"SEC. 10. (a) That the officers in the Foreign Service shall hereafter be graded and classified as follows, with the salaries of each class herein affixed thereto, except as increases in salaries are authorized in section 33 of this Act, but not exceeding in number for each class a proportion of the total number of officers in the service represented in the following percentage limitations:

"Ambassadors and Ministers as now or hereafter provided; Foreign Service officers as follows: Class 1, 6 per centum, \$9,000 to \$10,000; class 2, 7 per centum, \$8,000 to \$8,900; class 3, 8 per centum, \$7,000 to \$7,900; class 4, 9 per centum, \$6,000 to \$6,900; class 5, 10 per centum, \$5,000 to \$5,900; class 6, 14 per centum, \$4,500 to \$4,900; class 7, \$4,000 to \$4,400; class 8, \$3,500 to \$3,900; unclassified, \$2,500 to \$3,400: *Provided,* That as many Foreign Service officers above class 6 as may be required for the purpose of inspection may be detailed by the Secretary of State for that purpose.

Foreign Service.  
Grading and clas-  
sification of clerks.  
46 Stat. 1207.  
22 U. S. C. §§ 1-231;  
Supp. IV, § 4.

Additional compen-  
sation authorized to  
meet excessive costs of  
living at certain posts.

Proviso.  
Report to Congress.

46 Stat. 1207.  
22 U. S. C. § 3.  
Classification, sal-  
aries, etc., of officers.

Ambassadors and  
ministers.  
Foreign Service of-  
ficers.

Proviso.  
Details for purpose  
of inspection.



Transfer of ambassadors or ministers: salaries.

R. S. § 1740.  
22 U. S. C. § 121.

Appropriations authorized.

46 Stat. 1211.  
22 U. S. C. § 21.  
Foreign Service retirement and disability system.

Refunds, allowances, and annuities.  
Annual report of receipts, etc., on account of, to be submitted.

Appropriations authorized.  
Foreign Service retirement and disability fund created.  
Contributions by deductions from salaries of eligible officers.

*Proviso.*  
Basic salaries in excess of \$10,000.  
Appointments in Department at lower basic salary.

Optional deposit of additional sums; limitation.

Return in lump sum or use for purchase of additional annuity.

"(b) That any person appointed an Ambassador or a Minister by the President, by and with the advice and consent of the Senate, who has taken his oath of office and entered upon his official duties as required by law, may be thereafter transferred in accordance with a subsequent appointment as Ambassador or Minister by the President, by and with the advice and consent of the Senate; and notwithstanding the provisions of section 1740 of the Revised Statutes, as amended (U. S. C., title 22, sec. 121), he shall be entitled to be paid salary at the rate prescribed by law for the Ambassador or Minister at the post from which he is transferred to the date he takes oath of office under his new appointment, and thereafter at the rate prescribed by law for the Ambassador or Minister at the new post, including in either case such period as he may be necessarily in transit traveling under orders, receiving instruction, or on authorized leave of absence, as provided by law for officers and employees of the Foreign Service of the United States. The taking of his oath by an Ambassador or Minister appointed to a post shall not operate to deprive the retiring Ambassador or Minister at such post of salary up to the date of his departure therefrom, while traveling under orders, during transit to his home in the United States and while on authorized leave of absence, as provided by the law for officers and employees of the Foreign Service of the United States. Appropriations are hereby authorized to pay salaries in such cases."

SEC. 3. Section 26 of said Act is amended to read as follows:

"SEC. 26. The President is authorized to prescribe rules and regulations for the establishment of a Foreign Service retirement and disability system to be administered under the direction of the Secretary of State and in accordance with the following principles, to wit:

"(a) The Secretary of State shall submit annually a comparative report showing all receipts and disbursements on account of refunds, allowances, and annuities, together with the total number of persons receiving annuities and the amounts paid them, and shall submit annually estimates of appropriations necessary to continue this section in full force and such appropriations are hereby authorized.

"(b) There is hereby created a special fund to be known as the Foreign Service retirement and disability fund.

"(c) Five per centum of the basic salary of all Foreign Service officers eligible to retirement shall be contributed to the Foreign Service retirement and disability fund, and the Secretary of the Treasury is directed on the date on which this Act takes effect to cause such deductions to be made and the sums transferred on the books of the Treasury Department to the credit of the Foreign Service retirement and disability fund for the payment of annuities, refunds, and allowances: *Provided*, That all basic salaries in excess of \$10,000 per annum shall be treated as \$10,000 and any Ambassador, Minister, or Foreign Service officer appointed to a position in the Department of State, as provided in paragraph (n) of this section, at a lower basic salary than he was receiving on the date of such appointment shall be considered for all purposes of this section as continuing to draw the higher salary and salary deductions authorized under this paragraph shall be on that basis: *And provided further*, That any Foreign Service officer may at his option and under such regulations as may be prescribed by the President, deposit additional sums in multiples of 1 per centum of his basic salary, but not to exceed 10 per centum of such basic salary, which amounts together with interest thereon at 3 per centum per annum compounded on June 30 of each year, shall, at the date of his retirement, be returned to him in a lump sum; or the officer may elect to use the accumulated amount of his additional deposits and interest to purchase an additional annuity

which shall, if he so desires, carry with it a proviso that upon his death a cash benefit shall be paid in such amount as he may elect under regulations to be prescribed by the President, to a beneficiary designated in writing and filed in accordance with instructions of the Secretary of State. The amount of such cash benefit shall not exceed the accumulated amount of the officer's additional deposits with interest to the date of retirement: *Provided, however*, That in lieu of such cash benefit, the officer may direct that beginning at the time of his death his beneficiary shall be paid a life annuity of such amount as may be purchasable with the amount of the cash benefit and such annuity shall provide for the guaranteed return of at least the amount of the cash benefit. The calculation of the amount of the additional annuity purchasable by the retired officer under the provisions of this option shall be based upon such tables of annuity values as may from time to time be prescribed for this purpose by the Secretary of the Treasury. In case an officer shall become separated from the service for any reason except retirement on an annuity, the amount of any additional deposits with interest at 3 per centum per annum compounded annually, made by him under the provisions of this paragraph shall be refunded in the manner provided elsewhere in this section for the return of contributions and interest in the case of death or withdrawal from active service. Any benefits payable to an officer, or to his beneficiary, in respect to the additional deposits provided under this paragraph, shall be in addition to the benefits otherwise provided under this section.

"(d) When any Foreign Service officer has reached the age of sixty-five years and rendered at least fifteen years of service he shall be retired on an annuity computed as prescribed in paragraph (e) of this section: *Provided*, That any Foreign Service officer who has reached the age of sixty years and rendered at least thirty years of service may be retired at his own request on the annuity computed as prescribed under paragraph (e) of this section: *Provided further*, That any officer below the age of sixty years who has rendered at least thirty years of actual service, exclusive of extra service credits as provided in paragraph (k) of this section, may be retired at his own request and elect to receive either (1) a deferred annuity beginning at age sixty computed as prescribed under paragraph (e) of this section, or (2) an immediate annuity computed as prescribed under paragraph (e) of this section, reduced by one-fourth of 1 per centum of such annuity for each month or major fraction thereof, between the date of his retirement and the sixtieth anniversary of his date of birth: *And provided further*, That the President may in his discretion retain any such officer on active duty for such period prior to his reaching seventy years of age as he may deem for the interests of the United States.

"(e) The annuity of a retired Foreign Service officer shall be equal to 2 per centum of his average annual basic salary for the ten years next preceding the date of retirement, multiplied by the number of years of service not exceeding thirty years: *Provided*, That at the time of his retirement a Foreign Service officer, if the husband of a wife to whom he has been married for at least five years, may elect to receive a reduced annuity and designate his wife as his beneficiary, to whom will be paid any portion up to two-thirds of his reduced annuity, at the option of the officer, as long as she may live after his death: *Provided, however*, That the annuity payable to the widow shall in no case exceed 25 per centum of the officer's average annual basic salary for the ten years next preceding the date of retirement. If the age of the officer is less than the age of the wife or exceeds her age by not more than eight years, the annuity of the officer will be

Limitation on cash benefit.

Payment of life annuity to beneficiary.

Separation from service; refund of additional deposits.

Benefits in respect to additional deposits to be additional.

Age and period of service for retirement.

*Provisos.*  
If 60 years of age with 30 years of service.

If below 60 years of age with 30 years of service.

Retention in active service by President.

Computation of annuity.

*Provisos.*  
Designation of wife as beneficiary; annuity to widow.

Maximum amount of widow's annuity.

Reduction in officer's annuity; computation.

Retired officers receiving annuities on effective date of act.

Increases in annuities not retroactive. Annuities not to be reduced; exception.

Payment upon death of officer who has not established valid claim.

*proviso.*  
Officers with at least 15 years of service; annuity to widow.

Retirement and disability fund, investment.

Moneys not subject to legal process, etc.

Excess of accumulated contributions over accumulated annuity payments.

Payment of, order of precedence.

reduced by an amount equal to one-half the annuity which he elects to have paid to his widow. If the age of the officer exceeds the age of the wife by more than eight years, the annuity of the officer will be reduced by an amount equal to one-half the annuity which he elects to have paid to his widow plus an additional reduction equal to 2 per centum of such widow's annuity for each year, or fraction thereof, that the difference in age exceeds eight: *Provided further*, That a retired officer who is receiving an annuity on the effective date of this Act, if the husband of a wife to whom he was married at the time of his retirement and for a total period of at least five years, shall be entitled under the same terms and conditions set forth above, to elect to receive a reduced annuity, a portion of which will be continued on his death throughout the life of his surviving widow, but all such elections by retired officers shall be made within six months following the effective date of this Act, and they shall all be effective on the same date, to be prescribed by the President: *And provided further*, That no increases in annuities under this Act shall operate retroactively and nothing in this Act shall be interpreted as reducing the rate of the annuity received by any retired officer on the effective date of this Act, unless the officer voluntarily elects to receive a reduced annuity as provided herein.

"(f) In case a Foreign Service officer shall die without having established a valid claim for annuity, the total amount of his deductions with interest thereon at 4 per centum per annum compounded on June 30 of each year, except as provided in paragraph (c) of this section, shall be paid upon the establishment of a valid claim therefor in the order of precedence given under paragraph (i) of this section: *Provided, however*, That if the deceased officer rendered at least fifteen years of service and is survived by a widow to whom he was married for at least five years, such widow shall be paid an annuity equal to the annuity which she would have been entitled to receive if her husband had been retired on the date of his death, under the provisions of paragraph (j) of this section, and had elected to receive the reduced joint and survivorship annuity, under paragraph (e) hereof, providing the maximum annuity for his widow, unless prior to the date of his death he shall have elected, in lieu of such widow's annuity, and with the approval of the Secretary of State, the return of his deductions with interest as provided in the first part of this paragraph covering officers dying without having established a valid claim for annuity.

"(g) The Secretary of the Treasury is directed to invest from time to time in interest-bearing securities of the United States such portions of the Foreign Service retirement and disability fund as in his judgment may not be immediately required for the payment of annuities, refunds, and allowances, and the income derived from such investments shall constitute a part of said fund.

"(h) None of the moneys mentioned in this section shall be assignable either in law or equity, or be subject to execution, levy, or attachment, garnishment, or other legal process.

"(i) In case the total contributions of the retired officer, exclusive of additional voluntary contributions made under paragraph (c) of this section, together with interest at 4 per centum per annum compounded annually up to the date at which annuity payments cease under the terms of the annuity, exceed the annuity payments exclusive of any additional annuity purchased with voluntary contributions made under paragraph (c) hereof, accumulated at the same rate of interest up to such date, the excess of said accumulated contributions over said accumulated annuity payments shall be paid

in the following order of precedence, upon the establishment of a valid claim therefor:

"First, to the beneficiary or beneficiaries designated in writing by such annuitant or Foreign Service officer and recorded in compliance with instructions of the Secretary of State, which are hereby authorized;

"Second, if there be no such beneficiary, to the duly appointed executor or administrator of the estate of such annuitant or Foreign Service officer;

"Third, if there be no such beneficiary, or executor or administrator, payment may be made, after the expiration of thirty days from the date of the death of the annuitant or Foreign Service officer, to such person or persons as may appear in the judgment of the Secretary of State to be legally entitled thereto, and such payment shall be a bar to recovery by any other person.

"(j) Any Foreign Service officer who, after serving for a total period of not less than fifteen years, becomes totally disabled for useful and efficient service by reason of disease or injury not due to vicious habits, intemperance, or willful misconduct on his part, shall, upon his own application or upon order of the President, be retired on an annuity under paragraph (e) of this section: *Provided, however,* That in each case such disability shall be determined by the report of a duly qualified physician or surgeon designated by the Secretary of State to conduct the examination: *Provided further,* That unless the disability be permanent, a like examination shall be made annually until the annuitant has reached the retirement age as defined in paragraph (d) of this section, and the payment of annuity shall cease from the date of the medical examination showing recovery.

"Fees for examinations under this provision, together with reasonable traveling and other expenses incurred in order to submit to examination, shall be paid out of the Foreign Service retirement and disability fund.

"When the annuity is discontinued under this provision before the annuitant has received a sum equal to the total amount of his contributions, with accrued interest, the difference shall be paid to him or to his legal representatives.

"(k) The President is authorized from time to time to establish, by Executive order, a list of places which by reason of climatic or other extreme conditions are to be classed as unhealthful posts, and each year of duty subsequent to January 1, 1900, at such posts inclusive of regular leaves of absence, of officers already retired or hereafter retired, shall be counted as one year and a half, and so on in like proportion in reckoning the length of service for the purpose of retirement, fractional months being considered as full months in computing such service: *Provided, however,* That the President may at any time cancel the designation of any places as unhealthful without affecting any credit which has accrued for service at such posts prior to the date of the cancellation.

"(l) Whenever a Foreign Service officer becomes separated from the service before becoming eligible for an annuity, except under section 33 of this Act, the total amount of contributions from his salary with interest thereon at 4 per centum per annum compounded annually up to the date of such separation, except as provided in paragraph (c) of this section, shall be returned to him.

"(m) The Treasury Department shall prepare the estimates of the annual appropriations required to be made to the Foreign Service retirement and disability fund, and shall make actuarial valuations of such fund at intervals of five years, or oftener if deemed neces-

Disabled officers with 15 years of service, retirement.

*Proviso.*  
Determination of disability.

Annual examinations.

Payments to cease upon recovery.

Payment of fees for examinations, etc.

Payment of difference between annuity received and total of contributions.

Unhealthful posts, establishment of list of.  
Service credit allowed for duty at.

*Proviso.*  
Credit accrued not affected by cancellation of designation.

Return of contributions, etc., if officer separated from service before eligibility for annuity; exception.  
*Post*, p. 588.

Estimates of annual appropriations.

Actuarial valuations of fund.

Expenditures by Secretary of State authorized; limitation.

Officers promoted to Ambassador, etc., or appointed to Department.  
*Post*, p. 1067.

*Proviso.*  
Officers included under certain other acts entitled to benefits.  
43 Stat. 140; 44 Stat. 902.  
Computation of period of service.  
*Post*, p. 1208.

*Proviso.*  
Inclusion of certain service prior to appointment as Foreign Service officer.  
Special contribution.

46 Stat. 1215.  
22 U. S. C. §§ 3a, 23i.  
*Ante*, p. 583.  
Annual salary increases for certain officers.

Exception.

*Provisos.*  
Salaries of officers in unclassified grade.  
Additional promotions based on especially meritorious service.

Regulations providing for separation from service.

Annuities for officers so separated.

sary by the Secretary of the Treasury. The Secretary of State is authorized to expend from money to the credit of the Foreign Service retirement and disability fund an amount not exceeding \$5,000 per annum for the expenses necessary in carrying out the provisions of this section, including actuarial advice.

“(n) Any diplomatic secretary or consular officer who has been, or any Foreign Service officer who may hereafter be, promoted from the classified service to the grade of Ambassador or Minister, or appointed to a position in the Department of State, shall be entitled to all the benefits of this section in the same manner and under the same conditions as Foreign Service officers: *Provided*, That any officer now included under the Act of May 24, 1924, and the amendment thereto of July 3, 1926, shall be entitled to the benefits of this section.

“(o) For the purposes of this Act the period of service shall be computed from the date of original oath of office as diplomatic secretary, consul general, consul, vice consul, deputy consul, consular assistant, consular agent, commercial agent, interpreter, or student interpreter, and shall include periods of service at different times as either a diplomatic or consular officer, or while on assignment to the Department of State, or on special duty or service in another department or establishment of the Government, but all periods of separation from the service and so much of any period of leave of absence without pay as may exceed six months shall be excluded: *Provided*, That service in the Department of State or as clerk in a mission or consulate prior to appointment as a Foreign Service officer may be included in the period of service, in which case the officer shall pay into the Foreign Service retirement and disability fund a special contribution equal to 5 per centum of his annual salary for each year of such employment subsequent to July 1, 1924, with interest thereon to date of payment compounded annually at 4 per centum.”

SEC. 4. Section 33 of said Act is amended to read as follows:

“SEC. 33. Notwithstanding the provisions of section 10 of this Act all Foreign Service officers having a rating of satisfactory or better who shall have been in classes 5, 6, 7, or 8 for a continuous period of nine months or more, shall, on the first day of each fiscal year receive an increase of salary of \$100, except that no officer shall receive a salary above the maximum of his class and all such officers in classes 1, 2, 3, or 4 shall in the same circumstances receive an increase of \$200: *Provided*, That the Secretary of State is authorized to fix the salary of Foreign Service officers in the unclassified grade within the salary range specified in section 10 of this Act; and, within the limits of appropriation therefor, to grant to Foreign Service officers in any class additional promotion in salary within the salary range established for the classes in which they are serving, based upon especially meritorious service. Increases in salary under the terms of this section shall be paid to Foreign Service officers only as the right to such increases accrues after the effective date of this Act. The President is hereby authorized to establish by Executive order, regulations providing for the separation of Foreign Service officers from the Foreign Service, in accordance with the conditions hereinafter prescribed. Any Foreign Service officer so separated from the Foreign Service shall be retired from the Service, after a hearing by the Secretary of State, upon an annuity equal to 25 per centum of his salary at the time of retirement, in the case of an officer over forty-five years of age, or in the case of an officer under forty-five years of age with a bonus of one year's salary at the time of his retirement, either annuity or one year's salary to be payable out of the Foreign Service retirement and disability fund and except as herein provided, subject to

the same provisions and limitations as other annuities payable out of such fund; but no return of contributions shall be made under paragraph (1) of section 26 of this Act in the case of any Foreign Service officer retired under the provisions of this section: *Provided, however,* That any officer entitled to the bonus of one year's salary will receive in lieu of such bonus the amount of his contributions and interest under paragraph (1) of section 26 of this Act if such amount exceeds one year's salary. Whenever it is determined that the efficiency rating of an officer is unsatisfactory, thereby meaning below the standard required for the service, and such determination has been confirmed by the Secretary of State, the officer shall be notified thereof, and if, after a reasonable period to be determined by the circumstances in each particular case, the rating of such officer continues to be found unsatisfactory and such finding is confirmed by the Secretary of State after a hearing accorded the officer, such officer shall be separated from the service with the annuity or bonus provided in this section, but no officer so separated from the service shall receive the said annuity or bonus unless at the time of separation he shall have served at least fifteen years. He shall, however, if he has not served at least fifteen years, have returned to him the full sum of his contributions to the annuity fund, with interest thereon at 4 per centum compounded annually, except as provided in paragraph (c) of section 4 of this Act. The benefits of this section, except, at the option of the Secretary of State, the return of an officer's contributions to the annuity fund, shall not be given to Foreign Service officers separated from the Foreign Service on account of malfeasance in office."

SEC. 5. This Act shall take effect on the first day of the calendar month following the expiration of sixty days from the date of its approval by the President.

Approved, April 24, 1939.

[CHAPTER 85]

AN ACT

To provide for the further development of cooperative agricultural extension work.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to further develop the cooperative extension system as inaugurated under the Act entitled "An Act to provide for cooperative agricultural extension work between the agricultural colleges in the several States receiving the benefits of the Act of Congress approved July 2, 1862, and all Acts supplementary thereto, and the United States Department of Agriculture", approved May 8, 1914 (U. S. C., title 7, secs. 341-348), there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the purpose of paying the expenses of cooperative extension work in agriculture and home economics and the necessary printing and distribution of information in connection with the same, the sum of \$300,000 annually. The sums appropriated pursuant to this Act shall be allotted by the Secretary of Agriculture to the several States in such amounts as he may deem necessary, and shall be paid to the several States in the same manner and subject to the same conditions and limitations as the initial payments of \$10,000 to each State appropriated under the Act of May 8, 1914. The sums appropriated pursuant to this Act shall be in addition to and not in substitution for sums appropriated under such Act of May 8, 1914, as amended and supplemented, and sums otherwise appropriated for agricultural extension work.

Approved, April 24, 1939.

Contributions not to be returned to certain officers.  
*Ante*, p. 587.  
*Proviso.*  
Exception.

If efficiency rating unsatisfactory.

Annuity or bonus.

Servicerequirement.

Return of contributions, etc.; exception.

Malfeasance in office.

Effective date.

April 24, 1939  
[S. 518]  
[Public, No. 41]

Cooperative extension work in agriculture and home economics.  
Annual appropriation authorized.  
*Post*, p. 945.

38 Stat. 372.  
7 U. S. C. §§ 341-348; Supp. IV, §§ 343c-343g.

Allotments to States.

Sums appropriated to be additional.

## [CHAPTER 86]

## AN ACT

April 24, 1939  
[S. 1574]  
[Public, No. 42]

To authorize the attendance of the Marine Band at the National Encampment of the Grand Army of the Republic to be held at Pittsburgh, Pennsylvania, from August 27 to September 1, inclusive, 1939.

National Encampment of the Grand Army of the Republic, Pittsburgh, Pa.  
Attendance of Marine Band authorized.

Appropriation authorized.  
Post, p. 777.

Proviso.  
Allowances.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President is authorized to permit the band of the United States Marine Corps to attend and give concerts at the National Encampment of the Grand Army of the Republic to be held at Pittsburgh, Pennsylvania, from August 27 to September 1, inclusive, 1939.

SEC. 2. For the purpose of defraying the expenses of such band in attending and giving concerts at such encampment, there is authorized to be appropriated the sum of \$8,500, or so much thereof as may be necessary, to carry out the provisions of this Act: *Provided*, That in addition to transportation and Pullman accommodations the leaders and members of the Marine Band be allowed not to exceed \$5 per day each for additional living expenses while on the duty, and that the payment of such expenses shall be in addition to the pay and allowances to which they would be entitled while serving at their permanent station.

Approved, April 24, 1939.

## [CHAPTER 87]

## AN ACT

April 25, 1939  
[H. R. 4278]  
[Public, No. 43]

To authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes.

Naval aviation facilities, establishment, etc.  
Post, pp. 772, 797.

48 Stat. 957.

Total cost; limitation.

Proviso.  
Variation in costs permitted; limitation.

Naval Aircraft Factory, Philadelphia, Pa., construction at.

Acceptance of title to land, etc.  
Corpus Christi, Tex.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy is hereby authorized to establish, develop, or increase naval aviation facilities, with which shall be included the authority to purchase, accept by gift, or otherwise acquire land and to construct buildings and accessories, with approximate costs as indicated, at or in the vicinity of Kaneohe Bay, \$5,800,000; Midway Island, \$5,350,000; Wake Island, \$2,000,000; Johnston Island, \$1,150,000; Palmyra Island, \$1,100,000; Kodiak, Alaska, \$8,750,000; Sitka, Alaska, \$2,900,000; San Juan, Puerto Rico, \$9,300,000; Pensacola, Florida, \$5,850,000; Jacksonville, Florida, and Banana River, Florida, \$17,000,000; Norfolk, Virginia, \$500,000, for acquiring the land described and authorized by the Act of June 14, 1934 (48 Stat. 957), as amended by section 5 of this Act; Quonset Point, Rhode Island, \$1,000,000 for acquiring privately owned land; Tongue Point, Oregon, \$1,500,000; Pearl Harbor, Hawaii, \$2,800,000; the total cost not to exceed \$65,000,000, except as may be otherwise authorized by law: *Provided*, That the approximate cost indicated for each project enumerated above may, in the discretion of the Secretary of the Navy, be varied upward or downward by an amount not to exceed 25 per centum of the approximate cost indicated, but the total cost of \$65,000,000 shall not be exceeded. In addition to other authority contained in this section the Secretary of the Navy is hereby authorized to proceed with the construction of aeronautical engine and materials laboratory buildings at the Naval Aircraft Factory, Philadelphia, Pennsylvania, at a cost not to exceed \$1,800,000. In addition to other authority contained in this section, the Secretary of the Navy is hereby authorized to accept, free from all encumbrances and without cost to the United States, title in fee simple to land or other realty at or in the vicinity of Corpus Christi, Texas, to be used for

the purpose of establishing a naval aviation training station, and title in fee simple to land or other realty from the State of Rhode Island at or in the vicinity of Quonset Point, Rhode Island, to be used as a naval air base.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, such sums as may be necessary to effectuate the purposes of this Act.

SEC. 3. Whenever deemed by him to be advantageous to the national defense, and providing that in the opinion of the Secretary of the Navy the existing facilities of the Naval Establishment are inadequate, the Secretary of the Navy is hereby authorized to employ, by contract or otherwise, outside architectural or engineering corporations, firms, or individuals for the production and delivery of the designs, plans, drawings, and specifications required for the accomplishment of any naval public works or utilities project or the construction of any naval vessel, aircraft, or part thereof, without reference to the Classification Act of 1923 (42 Stat. 1488), as amended (5 U. S. C., ch. 13), or to section 3709 of the Revised Statutes of the United States (41 U. S. C. 5). In no case shall the fee paid for any service authorized by this section exceed 6 per centum of the estimated cost, as determined by the Secretary of the Navy, of the project to which such fee is applicable.

SEC. 4. (a) To enable the Secretary of the Navy to accomplish without delay or excessive cost those public-works projects authorized by this Act to be located outside the continental limits of the United States, he is hereby authorized to enter into contracts upon a cost-plus-a-fixed-fee basis after such negotiations as he may authorize and approve and without advertising for proposals with reference thereto. Approval by the President shall be necessary to the validity of any contract entered into under authority of this section. The fixed fee to be paid the contractor as a result of any contract entered into under authority of this section shall be determined at or before the time such contract is made, and shall be set forth in such contract. Such fee shall not exceed 10 per centum of the estimated cost of the contract, exclusive of the fee, as determined by the Secretary of the Navy. Changes in the amount of the fee shall be made only upon material changes in the scope of the work concerned as determined by the Secretary of the Navy whose determination shall be conclusive.

(b) Negotiations under this section shall be between the Secretary of the Navy, or a duly authorized representative, and three or more reputable and qualified contracting individuals, firms, or corporations regularly engaged in work of comparable magnitude and class to that contemplated by the negotiations, as determined by the Secretary of the Navy, and contracts may be made with any such individual, firm, or corporation, or with any two or more of them jointly, upon such terms and conditions as the Secretary of the Navy may determine to be fair and equitable and in the interests of the national defense. For each contract entered into under authority of this section the Secretary of the Navy may detail a naval officer to duty, without additional compensation, as an executive representative of the contracting officer. The contract shall provide that the officer so detailed shall have the right to attend any meetings of the board of directors or other executive or administrative board or committee of any corporation, partnership, firm, or syndicate which is or may become a party thereto for the purpose of submitting propositions, propounding questions, and receiving information relative to any matter within the purview of the contract with the intent and for the purpose of safeguarding the interests of the United States, coordinating efforts, and

Quonset Point, R. I.

Appropriations authorized.

Employment of certain outside corporations, etc.  
*Post*, p. 772.

42 Stat. 1488.  
5 U. S. C. §§ 661-674;  
Supp. IV, §§ 673, 673c.  
R. S. § 3709.  
41 U. S. C. § 5.  
Limitation.

Projects outside continental limits, contracts on a cost-plus-a-fixed-fee basis.  
*Post*, p. 772.

Approval by the President.

Amount of fee, limitation.

Changes.

Negotiations.

Detail of naval officer as executive representative of contracting officer.



Waiver of performance, etc., bond.

Acceptance of materials.

Damage to plant, etc.; investigation.

Transmittal of findings, etc., to Congress.

Annual report to Congress.

48 Stat. 957.

Norfolk, Va., acquisition of lands.

Funds available. *Ante*, p. 590.

promoting mutually beneficial relationships, and making decisions within the scope of his delegated authority and not in conflict with any provision of the contract.

(c) In any project the contract for which is negotiated under authority of this section, the Secretary of the Navy may waive the requirement of a performance and a payment bond and may accept materials required for any such project at such place or places as he may deem necessary to minimize insurance costs.

(d) Any contract negotiated under this section may, in the discretion of the Secretary of the Navy, contain provisions under which any loss of or major damage to the plant, materials, or supplies of any contractor, not due to his negligence or fault or to the negligence or fault of his agents or servants, while the same is necessarily in transit upon or lying in the open sea for the purposes of the contract, will be investigated by a board of naval officers appointed for the purpose and reported to the Secretary of the Navy, who will transmit to the Congress the findings of fact and his recommendations in the premises.

(e) The Secretary of the Navy shall report annually to the Congress all contracts entered into under authority of this section, including the names of the contractors and copies of the contracts concerned, together with the amounts thereof.

SEC. 5. The Act of June 14, 1934 (48 Stat. 957), after the enacting clause is hereby amended to read as follows:

"That the Secretary of the Navy be, and he hereby is, authorized to acquire, by purchase or condemnation, additional lands adjacent to the Hampton Roads Naval Operating Base, Norfolk, Virginia, such lands lying north of the Virginian Railway and west of Granby Street. The sum of \$500,000 authorized by section 1 of the bill H. R. 4278, as enacted, for the acquisition of land at or in the vicinity of Norfolk, Virginia, shall be available for the purposes of this Act."

Approved, April 25, 1939.

#### [CHAPTER 88]

#### AN ACT

Making appropriations for the Military Establishment for the fiscal year ending June 30, 1940, and for other purposes.

April 26, 1939  
[H. R. 4630]  
[Public, No. 44]

Military Appropriation Act, 1940.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Military Establishment for the fiscal year ending June 30, 1940, and for other purposes, namely:

#### SALARIES, WAR DEPARTMENT

Personal services.

For compensation for personal services in the District of Columbia, as follows:

Office of Secretary of War.  
*Proviso.*  
Use of field-service appropriations.

Office of Secretary of War: Secretary of War, Assistant Secretary of War, and other personal services, \$315,660: *Provided*, That no field-service appropriation shall be available for personal services in the War Department except as may be expressly authorized herein.

Designated offices.

Office of Chief of Staff, \$244,120.

Adjutant General's office, \$1,392,308.

World War personnel records.

For personal services, to be employed exclusively in assembling, classifying, and indexing the military personnel records of the World War, and for the purchase of necessary supplies and materials used in such work, \$74,960.

Office of the Inspector General, \$29,120.

Office of the Judge Advocate General, \$112,660.

Office of the Chief of Finance, \$396,100.

Office of the Quartermaster General, \$825,310.

Office of the Chief Signal Officer, \$166,605.

Office of the Chief of Air Corps, \$258,400.

Office of the Surgeon General, \$289,960.

Office of Chief of Bureau of Insular Affairs, \$66,480.

Office of Chief of Engineers, \$139,620: *Provided*, That the services of skilled draftsmen, civil engineers, and such other services as the Secretary of War may deem necessary may be employed only in the office of the Chief of Engineers, to carry into effect the various appropriations for rivers and harbors and flood control, surveys, and preparation for and the consideration of river and harbor and flood control estimates and bills, to be paid from such appropriations: *Provided further*, That the expenditures on this account for the fiscal year 1940 shall not exceed \$585,680; the Secretary of War shall each year, in the Budget, report to Congress the number of persons so employed, their duties, and the amount paid to each.

Office of Chief of Engineers.  
*Provisos.*  
Services of skilled draftsmen, etc.

Maximum expenditures, fiscal year 1940.  
Report to Congress.

Office of Chief of Ordnance, \$439,420: *Provided*, That the services of such additional technical and clerical personnel as the Secretary of War may deem necessary may be employed only in the office of the Chief of Ordnance, to carry into effect the various appropriations for development, manufacture, storage, and issue of ordnance and ordnance stores, to be paid from such appropriations: *Provided further*, That the expenditures on this account for the fiscal year 1940 shall not exceed \$100,000, and the Secretary of War shall each year, in the Budget, report to Congress the number of persons so employed, their duties, and the amount paid to each.

Office of Chief of Ordnance.  
*Provisos.*  
Technical, etc., personnel.

Maximum expenditures, fiscal year 1940.  
Report to Congress.

Office of Chief of Chemical Warfare Service, \$50,790.

Office of Chief of Infantry, \$13,880.

Office of Chief of Cavalry, \$11,100.

Office of Chief of Field Artillery, \$5,040.

Office of Chief of Coast Artillery, \$33,160.

Office of Chief of Chaplains, \$8,240.

National Guard Bureau, War Department, \$153,952.

In all, salaries, War Department, \$5,026,885: *Provided*, That the number of warrant officers and enlisted men on duty in the offices of the Chiefs of Ordnance, Engineers, Coast Artillery, Field Artillery, Cavalry, Infantry, and Chaplains on March 5, 1934, shall not be increased, and in lieu of warrant officers and enlisted men whose services in such offices shall have been terminated for any cause prior to July 1, 1940, their places may be filled by civilians, for the pay of whom, in accordance with the Classification Act of 1923, as amended, the appropriation "Pay of the Army" shall be available.

*Proviso.*  
No increase in certain details.

Civilians to fill vacancies.

5 U. S. C. §§ 661-674; Supp. IV, §§ 673, 673c.

In expending appropriations or portions of appropriations contained in this Act, for the payment for personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, with the exception of the Assistant Secretary of War, the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the

Restriction on exceeding average salaries.  
5 U. S. C. §§ 661-674; Supp. IV, §§ 673, 673c.

Exception.

*Proviso.*  
Restriction not applicable to certain grades of clerical-mechanical service.  
No reduction in fixed salaries.

42 Stat. 1490.  
5 U. S. C. § 666.  
Transfers without  
reduction.

Higher rates per-  
mitted.

If only one position  
in a grade.

rules of section 6 of such Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law; or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

## OFFICE OF THE SECRETARY

### CONTINGENT EXPENSES, WAR DEPARTMENT

Department con-  
tingent expenses.  
*Post*, p. 992.

For stationery; purchase of professional and scientific books, law books, including their exchange; books of reference, pamphlets, periodicals, newspapers, maps; typewriting and adding machines, and other labor-saving devices, including their repair and exchange; furniture and repairs to same; carpets, linoleum, filing equipment, photo supplies, towels, ice, brooms, soap, sponges; maintenance, repair, and operation of motor trucks and one motor-propelled passenger-carrying vehicle, to be used only for official purposes; freight and express charges; street-car fares; postage to Postal Union countries; and other absolutely necessary expenses, \$270,000, and it shall not be lawful to expend, unless otherwise specifically provided herein, for any bureau, office, or branch of the War Department or of the Army having or maintaining an office in the War Department proper, at Washington, District of Columbia, any sum out of appropriations contained in this Act (or accruing thereto) made for the Military Establishment for any of the purposes mentioned or authorized in this paragraph.

### LIBRARY, SURGEON GENERAL'S OFFICE

Library expenses.

For the purchase of the necessary books of reference, periodicals, and technical supplies and equipment, \$25,000.

### ARMY MEDICAL MUSEUM

Preservation, etc.,  
of specimens.

For the procurement, preparation, and preservation of specimens and the purchase of technical supplies and equipment, \$10,000.

### PRINTING AND BINDING, WAR DEPARTMENT

Printing and bind-  
ing.  
*Post*, p. 992.  
*Proviso*.  
Medical bulletins.

For printing and binding for the War Department, except such as may be otherwise provided for in accordance with existing law, \$546,000: *Provided*, That the sum of \$3,000, or so much thereof as may be necessary, may be used for the publication, from time to time, of bulletins prepared under the direction of the Surgeon General of the Army, for the instruction of medical officers, when approved by the Secretary of War.

## MILITARY ACTIVITIES

### CONTINGENCIES OF THE ARMY

Army contingencies.

For all emergencies and extraordinary expenses, including the employment of translators, and exclusive of all other personal services in the War Department or any of its subordinate bureaus or offices in the District of Columbia, or in the Army at large, but impossible to be anticipated or classified, and for examination of estimates of appro-

priations and of military activities in the field, to be expended on the approval or authority of the Secretary of War, and for such purposes as he may deem proper, and his determination thereon shall be final and conclusive upon the accounting officers of the Government, \$17,500.

#### EDUCATIONAL ORDERS

Appropriations contained in this Act for the procurement of munitions shall be available for the objects and purposes embraced by the provisions of the Act of June 16, 1938 (52 Stat. 707-708): *Provided*, That expenditures in pursuance hereof shall not exceed, in the aggregate, \$2,000,000.

Educational orders.  
52 Stat. 707.  
50 U. S. C., Supp.  
IV, §§ 91-94.  
*Ante*, p. 500; *post*, p.  
993.  
*Proviso*.  
Maximum expenditure.

#### GENERAL STAFF CORPS

#### MILITARY INTELLIGENCE ACTIVITIES

For miscellaneous expenses requisite for and incident to the military intelligence activities of the Army and maintenance of the military attachés at the United States Embassies and Legations abroad, including the purchase of law books, maps, professional books of reference, and subscriptions to newspapers and periodicals; for the hire of interpreters, special agents, and guides, and for such other purposes as the Secretary of War may deem proper, including not to exceed \$5,000 for the actual and necessary expenses of officers of the Army on duty abroad for the purpose of observing operations of armies of foreign states at war, to be paid upon certificates of the Secretary of War that the expenditures were necessary for obtaining military information, \$125,000, to be expended under the direction of the Secretary of War, and \$10,000 of such sum shall be available immediately: *Provided*, That section 3648, Revised Statutes (31 U. S. C. 529), shall not apply to payments made from appropriations contained in this Act in compliance with the laws of foreign countries or their ministerial regulations under which the military attachés are required to operate.

Miscellaneous expenses.  
*Post*, p. 993.

Observing operations of foreign armies.

*Proviso*.  
Provisions waived.  
R. S. § 3648.  
31 U. S. C. § 529.

#### FIELD EXERCISES

For expenses required for the conduct of special field exercises, including participation therein by the National Guard and the Organized Reserves, and including pay and travel of temporary employees and officers and enlisted men of the National Guard and the Organized Reserves, not otherwise provided for, allowances for enlisted men for quarters and rations, movement of matériel, maintenance and operation of structures and utilities, and any other requisite supplies and services, and for settlement of claims (not exceeding \$500 each) for damages to or loss of private property resulting from such exercises that have accrued or may hereafter accrue, when payment thereof will be accepted by the owners of the property in full satisfaction of such damages, and each claim is substantiated by a report of a board of officers appointed by the commanding officer of the troops engaged, and is approved by the Secretary of War, whose action thereon shall be conclusive, \$382,650.

Participation of National Guard, etc.

Supplies and services.  
Private property damage claims.

#### ARMY WAR COLLEGE

For expenses of the Army War College, being for the purchase of the necessary special stationery; textbooks, books of reference, scientific and professional papers, newspapers, and periodicals; maps; police utensils; employment of temporary, technical, or special services, and expenses of special lectures; for the pay of employees; and for all other absolutely necessary expenses, \$76,198.

Expenses.

## ADJUTANT GENERAL'S DEPARTMENT

## COMMAND AND GENERAL STAFF SCHOOL, FORT LEAVENWORTH, KANSAS

## Expenses.

For the purchase of textbooks, books of reference, scientific and professional papers, instruments, and material for instruction; employment of temporary, technical, special, and clerical services; and for other necessary expenses of instruction, at the Command and General Staff School, Fort Leavenworth, Kansas, \$75,300, of which \$31,100 shall be available exclusively for the replacement of machinery.

## WELFARE OF ENLISTED MEN

Equipment and conduct of clubs, libraries, etc.

For the equipment and conduct of school, reading, lunch, and amusement rooms, service clubs, chapels, gymnasiums, and libraries, including periodicals and other publications and subscriptions for newspapers, salaries of civilians employed in the hostess and library services, transportation of books and equipment for these services, rental of films, purchase of slides for and making repairs to moving-picture outfits, and for similar and other recreational purposes at training and mobilization camps now established or which may be hereafter established, \$35,440.

## FINANCE DEPARTMENT

## PAY OF THE ARMY

Officers.  
*Post*, p. 993.

52 Stat. 8.  
10 U. S. C., Supp.  
IV, §§ 91, 121, 481.

Longevity.  
Enlisted men.

Regular Army Reserve.  
National Guard.  
Aviation increase.  
Philippine Scouts.  
Longevity.  
Retired officers, etc.

Civil-service messengers at headquarters, etc.

Contract surgeons, nurses, etc.  
Rent, subsistence, etc.

Payment of exchange by officers serving in foreign countries.

For pay of not to exceed an average of thirteen thousand one hundred and six commissioned officers, to include fifty Medical Corps officers and twenty-five Dental Corps officers, authorized by Act of January 29, 1938 (52 Stat. 8), \$36,017,416; pay of officers, National Guard, \$100; pay of warrant officers, \$1,361,180; aviation increase to commissioned and warrant officers of the Army, including not to exceed thirty-six medical officers, \$2,705,533, none of which shall be available for increased pay for making aerial flights by nonflying officers (except flight surgeons) at a rate in excess of \$1,440 per annum and flight surgeons at a rate in excess of \$720 per annum, which shall be the legal maximum rates as to such officers; additional pay to officers for length of service, \$10,201,502; pay of an average of not to exceed one hundred and sixty-five thousand enlisted men of the line and staff, not including the Philippine Scouts, \$69,688,888; Regular Army Reserve, \$400,000; pay of enlisted men of National Guard, \$100; aviation increase to enlisted men of the Army, \$774,361; pay of enlisted men of the Philippine Scouts, \$1,050,447; additional pay for length of service to enlisted men, \$5,535,750; pay of commissioned officers on the retired list, \$12,256,977; pay of retired warrant officers and retired members of the Army Nurse Corps, \$1,378,033; increased pay to not to exceed eight retired officers on active duty, \$8,213; pay of retired enlisted men, \$13,924,988; pay not to exceed sixty civil-service messengers at not to exceed \$1,200 each at headquarters of the several Territorial departments, corps areas, Army and corps headquarters, Territorial districts, tactical divisions and brigades, service schools, camps, and ports of embarkation and debarkation, \$72,000; pay and allowances of contract surgeons, \$39,576; pay of nurses, \$950,320; rental allowances, including allowances for quarters for enlisted men on duty where public quarters are not available, \$7,185,834; subsistence allowances, \$6,750,087; interest on soldiers' deposits, \$70,000; payment of exchange by officers serving in foreign countries, and when specially authorized by the Secretary of War, by officers disbursing funds pertaining to the War Department, when serving in Alaska, and all foreign money received shall be charged to

and paid out by disbursing officers of the Army at the legal valuation fixed by the Secretary of the Treasury, \$100; in all, \$170,371,405, of which amount \$1,000,000 shall be immediately available; and the money herein appropriated for "Pay of the Army" shall be accounted for as one fund: *Provided*, That during the fiscal year ending June 30, 1940, no officer of the Army shall be entitled to receive an addition to his pay in consequence of the provisions of the Act approved May 11, 1908 (10 U. S. C. 803): *Provided further*, That no part of this or any other appropriation contained in this Act shall be available for the pay of any person, civil or military, not a citizen of the United States, unless in the employ of the Government or in a pay status on July 1, 1937, under appropriations for the War Department, nor for the pay of any such person beyond the period of enlistment or termination of employment, but nothing herein shall be construed as applying to instructors of foreign languages at the Military Academy, or to Filipinos in the Army Transport Service, or to persons employed outside of the continental limits of the United States except enlisted men of the Regular Army, other than Philippine Scouts, upon expiration of enlistment, and this provision shall be subject to the provisions of the Act entitled "An Act for the protection of certain enlisted men of the Army", approved August 19, 1937: *Provided further*, That, without deposit to the credit of the Treasurer of the United States and withdrawal on money requisitions, receipts of public moneys from sales or other sources by officers of the Army on disbursing duty and charged in their official accounts, except receipts to be credited to river and harbor and flood-control appropriations and retirement deductions, may be used by them as required for current expenditures, all necessary bookkeeping adjustments of appropriations, funds, and accounts to be made in the settlement of their disbursing accounts: *Provided further*, That there shall be deposited in the Treasury of the United States to the credit of miscellaneous receipts the sum of \$20,987.39, such amount being the balance of funds belonging to military organizations of the Army, disbanded at the conclusion of the World War.

No payment shall be made from money appropriated in this Act to any officer on the retired list of the Army who, for himself or for others, is engaged in the selling of, contracting for the sale of, or negotiating for the sale of, to the Army or the War Department, any war materials or supplies.

No appropriation for the pay of the Army shall be available for the pay of any officer or enlisted man on the active list of the Army who is engaged in any manner with any publication which is or may be issued by or for any branch or organization of the Army or military association in which officers or enlisted men have membership and which carries paid advertising of firms doing business with the War Department: *Provided, however*, That nothing herein contained shall be construed to prohibit officers from writing or disseminating articles in accordance with regulations issued by the Secretary of War.

#### TRAVEL OF THE ARMY

For travel allowances and travel in kind, as authorized by law, for persons traveling in connection with the military activities of the War Department, including mileage, transportation, reimbursement of actual expenses, or per diem allowances, to officers and contract surgeons; transportation of troops; transportation, or reimbursement therefor, of nurses, enlisted men, recruits, recruiting parties, applicants for enlistment between recruiting stations and recruiting depots, rejected applicants for enlistment, general prisoners, cadets and

Accounting.

*Provisos.*  
No allowance to officer owning mount.  
35 Stat. 108.  
10 U. S. C. § 803.  
Citizenship requirements.

No pay beyond enlistment period, etc.

Foreign language instructors.  
Filipinos in Army Transport Service, etc.

Reenlistment of aliens.  
50 Stat. 696.

Receipts of public moneys from sales, etc., use of.

Deposit of funds of disbanded military organizations.

Pay forbidden to a retired officer selling supplies to Army.

Officers, etc., engaged with certain service publications; pay forbidden.

*Proviso.*  
Writing, etc., of articles by officers.

Travel allowances, etc.  
*Post*, p. 993.

Recruiting expenses.

accepted cadets from their homes to the Military Academy, discharged cadets, civilian employees, civilian witnesses before courts martial, and dependents of military personnel; travel pay to discharged military personnel; transportation of discharged prisoners and persons discharged from Saint Elizabeths Hospital after transfer thereto from the military service, to their homes, or elsewhere as they may elect, the cost in each case not to be greater than to the place of last enlistment; hot coffee for troops traveling when supplied with cooked or travel rations; commutation of quarters and rations to enlisted men traveling on detached duty when it is impracticable to carry rations, and to applicants for enlistment and general prisoners traveling under orders; per diem allowances or actual cost of subsistence while in a travel status, to nurses, civilian employees, and civilian witnesses before courts martial, \$2,927,020, of which amount \$100,000 shall be available immediately, and such total amount may be increased, subject to the approval of the Director of the Bureau of the Budget, by transfers from other appropriations for the Military Establishment of such amounts as may be required in addition to those herein provided for travel in connection with development, procurement, production, maintenance, or construction activities; and, with such exception, no other appropriation in this Act shall be available for any expense for or incident to travel of personnel of the Regular Army or civilian employees under the War Department, except the appropriation "Contingencies of the Army" and the appropriations for the National Guard, the Organized Reserves, the Reserve Officers' Training Corps; Citizens' Military Training Camps, and the National Board for the Promotion of Rifle Practice, and except as may be provided for in the appropriation "Air Corps, Army": *Provided*, That the expert accountant, Inspector General's Department, shall be entitled to the same travel allowances as other employees of the War Department: *Provided further*, That, in addition to the authority contained in section 67, National Defense Act of June 3, 1916, as amended, a total of not to exceed \$2,500 of the appropriations available to the War Department chargeable with expenses of travel shall be available for expenses incident to attendance at meetings of technical, professional, scientific, and other similar organizations, when, in the judgment of the Secretary of War, such attendance would be of benefit in the conduct of the work of the War Department: *Provided further*, That the appropriations "Travel of the Army" and "Army Transportation" current at the date of relief from duty station of personnel traveling under orders shall be charged with all expenses properly chargeable to such appropriations in connection with the travel enjoined, including travel of dependents and transportation of authorized baggage and household effects of such personnel, regardless of the dates of arrival at destination of the persons so traveling.

*Commutation of quarters, rations, etc.*

*Civilians.*

*Transfers from other appropriations.*

*Restriction.*

*Provisos.*  
Travel allowance, expert accountant.

*Attendance at meetings.*  
39 Stat. 199.  
32 U. S. C. § 22.

*Personnel traveling under orders; expenses.*

*Dependents, etc.*

## EXPENSES OF COURTS MARTIAL

Courts martial, expenses.  
*Post*, p. 993.

For expenses of courts martial, courts of inquiry, military commissions, retiring boards, and compensation of reporters and witnesses attending same, contract stenographic reporting services, and expenses of taking depositions and securing other evidence for use before the same, \$40,000.

## APPREHENSION OF DESERTERS, AND SO FORTH

Apprehension of deserters, etc.

For the apprehension, securing, and delivering of soldiers absent without leave and of deserters, including escaped military prisoners, and the expenses incident to their pursuit; and no greater sum than \$25 for each deserter or escaped military prisoner shall, in the discre-

tion of the Secretary of War, be paid to any civil officer or citizen for such services and expenses; for a donation of \$10 to prisoner discharged otherwise than honorably upon his release from confinement under court-martial sentence involving dishonorable discharge, \$15,000.

#### FINANCE SERVICE

For compensation of clerks and other employees of the Finance Department, including not to exceed \$900 for any one person for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (5 U. S. C. 118a), \$1,180,718.

Clerks, etc.  
*Post*, p. 993.

46 Stat. 818.  
5 U. S. C. § 118a.

#### CLAIMS FOR DAMAGES TO AND LOSS OF PRIVATE PROPERTY

For payment of claims, including claims of military and civilian personnel in and under the War Department, not exceeding \$500 each in amount for damages to or loss of private property incident to the training, practice, operation, or maintenance of the Army that have accrued, or may hereafter accrue, from time to time, \$8,000: *Provided*, That settlement of such claims shall be made by the General Accounting Office, upon the approval and recommendation of the Secretary of War, where the amount of damages has been ascertained by the War Department, and payment thereof will be accepted by the owners of the property in full satisfaction of such damages.

Private property  
damages, etc.

*Proviso.*  
Settlement by Gen-  
eral Accounting  
Office, etc.

#### CLAIMS OF OFFICERS, ENLISTED MEN, AND NURSES OF THE ARMY FOR DESTRUCTION OF PRIVATE PROPERTY

For the payment of claims of officers, enlisted men, and nurses of the Army for private property lost, destroyed, captured, abandoned, or damaged in the military service of the United States, under the provisions of an Act approved March 4, 1921 (31 U. S. C. 218-222), \$15,000.

Destruction of pri-  
vate property of offi-  
cers, etc.

41 Stat. 1436.  
31 U. S. C. §§ 218-  
222.

#### QUARTERMASTER CORPS

Subsistence of the Army: Purchase of subsistence supplies: For issue as rations to troops, including retired enlisted men when ordered to active duty, civil employees when entitled thereto, hospital matrons, applicants for enlistment while held under observation, general prisoners of war, and general prisoners at posts; ice for issue to organizations of enlisted men and offices at such places as the Secretary of War may determine, and for preservation of stores; for the subsistence of the masters, officers, crews, and employees of the vessels of the Army Transport Service; meals for recruiting parties and applicants for enlistment while under observation; for sales to officers, including members of the Officers' Reserve Corps while on active duty, and enlisted men of the Army. For payments: Of the regulation allowances of commutation in lieu of rations to enlisted men on furlough, and to enlisted men when stationed at places where rations in kind cannot be economically issued, including retired enlisted men when ordered to active duty. For payment of the regulation allowance of commutation in lieu of rations for enlisted men, applicants for enlistment while held under observation, civilian employees who are entitled to subsistence at public expense, and general prisoners while sick in hospitals, to be paid to the surgeon in charge; advertising; for providing prizes to be established by the Secretary of War for enlisted men of the Army who graduate from the Army schools for bakers and cooks, the total amount of such prizes at the various schools not to exceed \$900 per annum; and for other necessary expenses incident to the purchase, testing, care, preservation, issue, sale, and accounting for subsistence supplies for the

Subsistence of the  
Army.  
*Post*, p. 993.

Army Transport  
Service.

Sales to officers, etc.

Allowances of com-  
mutation in lieu of  
rations.

Prizes, etc.

Subsistence sup-  
plies.



*Proviso.*  
Butter substitutes,  
restriction.

Regular supplies of  
the Army.  
*Post, p. 993.*  
Field cooking appli-  
ances, etc.

Furniture, school  
supplies, etc.

Periodicals, techni-  
cal books, etc.

Forage, etc.

Seeds and imple-  
ments.

Bedding, station-  
ery, etc.

Clothing and equi-  
page.  
*Post, p. 993.*  
Purchase, manufac-  
ture, etc.

Laundries, etc.

Repair shops.

Toilet kits.

Citizen's outer  
clothing.

Army; in all, \$29,510,250: *Provided*, That none of the money appropriated in this Act shall be used for the purchase of oleomargarine or butter substitutes for other than cooking purposes, except to supply an expressed preference therefor or for use where climatic or other conditions render the use of butter impracticable.

Regular supplies of the Army: Regular supplies of the Quartermaster Corps, including their care and protection; field ranges, field stoves for cooking food, coffee roasters, field bakery equipment, and appliances for cooking and serving food at posts (except fixed installations in buildings), in the field and when traveling, and repair and maintenance of such equipment; authorized issues of candles and matches; authorized issues of soap, toilet paper, and towels; for the necessary furniture, textbooks, paper, and equipment for the post schools and libraries, and for schools for noncommissioned officers; for the purchase and issue of instruments, office furniture, stationery, and other authorized articles for the use of officers' schools at the several military posts; for purchase of commercial newspapers, periodicals, market reports, technical books, and so forth; for equipment and furniture for kitchens and mess halls, each and all for the enlisted men, including recruits; for forage, salt, and vinegar for the horses, mules, oxen, and other draft and riding animals of the Quartermaster Corps at the several posts and stations and with the armies in the field, for the horses of the several regiments of Cavalry and batteries of Artillery and such companies of Infantry and Scouts as may be mounted, and for remounts and for the authorized number of officers' horses, including bedding for the animals; for seeds and implements required for the raising of forage at remount depots and on military reservations in the Hawaiian, Philippine, and Panama Canal Departments, and for labor and expenses incident thereto, including, when specifically authorized by the Secretary of War, the cost of irrigation; for the purchase of implements and hire of labor for harvesting hay on military reservations; for straw for soldiers' bedding, stationery, typewriters and exchange of same, including blankbooks and blank forms for the Army, certificates for discharged soldiers, and for printing department orders and reports, \$3,626,700.

Clothing and equipage: For cloth, woolens, materials, and for the purchase and manufacture of clothing for the Army, including retired enlisted men when ordered to active duty for issue and for sale; for payment of commutation of clothing due to warrant officers of the mine-planter service and to enlisted men; for altering and fitting clothing and washing and cleaning when necessary; for operation of laundries, existing or now under construction, including purchase and repair of laundry machinery therefor; for the authorized issues of laundry materials for use of general prisoners confined at military posts without pay or allowances, and for applicants for enlistment while held under observation; for equipment and repair of equipment of existing dry-cleaning plants, salvage and sorting storehouses, hat-repairing shops, shoe-repair shops, clothing-repair shops, and garbage-reduction works; for equipage, including authorized issues of toilet articles, barbers' and tailors' material, for use of general prisoners confined at military posts without pay or allowances and applicants for enlistment while held under observation; issue of toilet kits to recruits upon their first enlistment, and issue of housewives to the Army; for expenses of packing and handling and similar necessities; for a suit of citizen's outer clothing and when necessary an overcoat, the cost of all not to exceed \$30, to be issued each soldier discharged otherwise than honorably, to each enlisted man convicted by civil court for an offense resulting in confinement in a penitentiary or other civil prison, and to each enlisted

man ordered interned by reason of the fact that he is an alien enemy, or, for the same reason, discharged without internment; for indemnity to officers and men of the Army for clothing and bedding, and so forth, destroyed since April 22, 1898, by order of medical officers of the Army for sanitary reasons, \$12,463,900, of which amount not exceeding \$60,000 shall be available immediately for the procurement and transportation of fuel for the service of the fiscal year 1940: *Provided*, That laundry charges, other than for service now rendered without charge, shall be so adjusted that earnings in conjunction with the value placed upon service rendered without charge shall aggregate an amount not less than \$50,000 below the cost of maintaining and operating laundries and dry-cleaning plants.

Incidental expenses of the Army: Postage; hire of laborers in the Quartermaster Corps, including the care of officers' mounts when the same are furnished by the Government; compensation of clerks and other employees of the Quartermaster Corps, including not to exceed \$900 for any one person for allowances for living quarters, including heat, fuel, and light, as authorized by the Act of June 26, 1930 (5 U. S. C. 118a), and clerks, foremen, watchmen, and organist for the United States Disciplinary Barracks; incidental expenses of recruiting; for the operation of coffee-roasting plants; for the payment of entrance fees for Army rifle and pistol teams participating in competitions; for tests and experimental and development work and scientific research to be performed by the Bureau of Standards for the Quartermaster Corps; for inspection service and instruction furnished by the Department of Agriculture which may be transferred in advance; for such additional expenditures as are necessary and authorized by law in the movements and operation of the Army and at military posts, and not expressly assigned to any other departments, \$3,691,546.

Army transportation: For transportation of Army supplies; of authorized baggage, including packing and crating; of horse equipment; and of funds for the Army; for transportation on Army vessels, notwithstanding the provisions of other law, of privately owned automobiles of Regular Army personnel upon change of station; for the purchase or construction, not to exceed \$242,600, alteration, operation, and repair of boats and other vessels, including not to exceed \$180,000 for use exclusively in the preparation of plans, by contract or otherwise, for a new Army transport; for wharfage, tolls, and ferriage; for drayage and cartage; for the purchase, manufacture (including both material and labor), maintenance, hire, and repair of pack saddles and harness; for the purchase, hire, operation, maintenance, and repair of wagons, carts, drays, other vehicles, and horse-drawn and motor-propelled passenger-carrying vehicles required for the transportation of troops and supplies and for official military and garrison purposes; for hire of draft and pack animals; for travel allowances to officers of National Guard on discharge from Federal service as prescribed in the Act of March 2, 1901 (10 U. S. C. 751), and to enlisted men of National Guard on discharge from Federal service, as prescribed in amendatory Act of September 22, 1922 (10 U. S. C. 752), and to members of the National Guard who have been mustered into Federal service and discharged on account of disability; in all, \$15,525,061, of which amount not exceeding \$250,000 for the procurement and transportation of fuel for the service of the fiscal year 1940, and not exceeding \$3,000,000 for the procurement of motor vehicles, shall be available immediately: *Provided*, That not to exceed \$225,000 may be expended for the purchase of light and medium passenger-carrying automobiles at a unit cost of not to exceed \$750 for light automobiles and \$1,200 for medium automobiles, including

Indemnity for destroyed clothing, etc.

Fuel.

*Proviso.*  
Laundry charges.

Incidental expenses.  
*Post*, p. 993.

Living quarters.

46 Stat. 818.  
5 U. S. C. § 118a.

Recruiting.

Rifle competition,  
fees, tests, etc.

Inspection service,  
etc.

Army transportation.  
*Post*, p. 993.  
Supplies.  
Privately owned  
automobiles.

Boats, etc.

Vehicles.

Travel allowances,  
National Guard.

31 Stat. 902.  
10 U. S. C. § 751.

42 Stat. 1021.  
10 U. S. C. § 752.

Fuel and vehicles,  
amount immediately  
available for purchase.

*Provisos.*  
Motor vehicles, etc.

Ambulances, motorcycles, etc.

Not available for designated vehicles except for salvaging.

Exceptions.

Transportation costs, supplies, equipment, etc.

the value of any vehicle exchanged, and not to exceed \$600,000 may be expended for the purchase or exchange of motor-propelled ambulances, motorcycles, and trucks of station-wagon type: *Provided further*, That no appropriation contained in this Act shall be available for any expense of any character, other than as may be incident to salvaging or scrapping, on account of any motor-propelled vehicle procured prior to January 1, 1920, except tanks, tractors, ambulances, fire trucks, searchlight trucks, three hundred and ninety modernized Class B trucks, and vehicles in use by Reserve Officers' Training Corps units on February 19, 1935: *Provided further*, That during the fiscal year 1940 the cost of transportation from point of origin to the first point of storage or consumption of supplies, equipment, and material in connection with the manufacturing and purchasing activities of the Quartermaster Corps may be charged to the appropriations from which such supplies, equipment, and material are procured.

#### HORSES, DRAFT AND PACK ANIMALS

Horses, draft and pack animals, purchase.

Encouragement of breeding of riding horses.

For the purchase of draft and pack animals and horses within limits as to age, sex, and size to be prescribed by the Secretary of War for remounts for officers entitled to public mounts, for the United States Military Academy, and for such organizations and members of the military service as may be required to be mounted, and for all expenses incident to such purchases (including \$92,030 for encouragement of the breeding of riding horses suitable for the Army, in cooperation with the Bureau of Animal Industry, Department of Agriculture, including the purchase of animals for breeding purposes and their maintenance), \$307,150.

#### MILITARY POSTS

Construction, maintenance, etc.  
*Post*, p. 1327.

R. S. §§ 1136, 3734.  
10 U. S. C. § 1339; 40 U. S. C. § 267.

R. S. § 3709.  
41 U. S. C. § 5.

Technical, etc., services.

Air Corps stations.  
49 Stat. 610.  
10 U. S. C., Supp. IV, §§ 1343a-1343d.  
Radio aids to air navigation.  
Military posts, construction, etc.  
50 Stat. 857.  
Obligations under contract authorizations.

52 Stat. 651.

For construction and installation of buildings, flying fields, and appurtenances thereto, including interior facilities, fixed equipment, necessary services, roads, connections to water, sewer, gas, and electric mains, purchase and installation of telephone and radio equipment, and similar improvements, and procurement of transportation incident thereto, without reference to sections 1136 and 3734, Revised Statutes (10 U. S. C. 1339; 40 U. S. C. 267); general overhead expenses of transportation, engineering, supplies, inspection and supervision, and such services as may be necessary in the office of the Quartermaster General; and the engagement by contract or otherwise without regard to section 3709, Revised Statutes (41 U. S. C. 5), and at such rates of compensation as the Secretary of War may determine, of the services of architects or firms or corporations thereof and other technical and professional personnel as may be necessary; \$8,594,878, to remain available until expended and to be applied as follows: For work authorized by the Act of August 12, 1935 (49 Stat. 610-611): At Hickam Field, Hawaii, \$3,086,978; Albrook Field, Canal Zone, \$2,014,400; and radio aids to air navigation, \$322,500; for work authorized by the Act of August 26, 1937 (50 Stat. 857-862): At Fort Clayton, Canal Zone, \$689,500; Fort Davis, Canal Zone, \$553,000; and Fort Kobbe, Canal Zone, \$90,000; and for the payment of obligations incurred in the amount of \$1,838,500 under the contract authorizations provided for under this head in the Military Appropriation Act for the fiscal year 1939.

#### ACQUISITION OF LAND

Hatbox Field, Okla., radiobeacon site.  
52 Stat. 652.

Not to exceed \$5,000 of the unexpended balance of the appropriation under this head in the Military Appropriation Act, 1939, is hereby made available until expended for the acquisition of a site for

a radiobeacon as an aid to air navigation, in the vicinity of Hatbox Field, Oklahoma, as authorized by the Act of August 12, 1935 (49 Stat. 610).

Acquisition of land, Mitchel Field, New York: For an additional amount for the acquisition of land in the vicinity of Mitchel Field, New York, as authorized by the Acts approved August 12, 1935 (49 Stat. 610), and July 1, 1937 (50 Stat. 452), \$520,000, to remain available until expended.

Acquisition of land, West Point, New York: For an additional amount for the acquisition of land in the vicinity of West Point, New York, as authorized by the Acts approved March 3, 1931 (46 Stat. 1491), and July 1, 1937 (50 Stat. 452), \$338,000, to remain available until expended.

Acquisition of land, Ogden Ordnance Depot, Utah: For the acquisition of land adjacent to the site of the Ogden Ordnance Depot, Utah, as authorized by the Act of August 12, 1935 (49 Stat. 610), including the removal of existing utilities, \$232,000, to remain available until expended.

49 Stat. 610.  
10 U. S. C., Supp.  
IV, §§ 1343a-1343d.

Mitchel Field, N. Y.

49 Stat. 610.  
10 U. S. C., Supp.  
IV, §§ 1343a-1343d.  
50 Stat. 452.

West Point, N. Y.

46 Stat. 1491.

50 Stat. 452.

Ogden Ordnance  
Depot, Utah.

49 Stat. 610.  
10 U. S. C., Supp.  
IV, §§ 1343a-1343d.

#### BARRACKS AND QUARTERS AND OTHER BUILDINGS AND UTILITIES

For all expenses incident to the construction, installation, operation, and maintenance of buildings, utilities, appurtenances, and accessories necessary for the shelter, protection, and accommodation of the Army and its personnel and property, where not specifically provided for in other appropriations, including personal services, purchase and repair of furniture for quarters for officers, warrant officers, and noncommissioned officers, and officers' messes and wall lockers and refrigerators for Government-owned buildings as may be approved by the Secretary of War, care and improvement of grounds, flooring and framing for tents, rental of buildings, including not to exceed \$900 in the District of Columbia, provided space is not available in Government-owned buildings, and grounds for military purposes, lodgings for recruits and applicants for enlistment, water supply, sewer and fire-alarm systems, fire apparatus, roads, walks, wharves, drainage, dredging channels, purchase of water, disposal of sewage, shooting galleries, ranges for small-arms target practice, field, mobile, and railway artillery practice, including flour for paste for marking targets, such ranges and galleries to be open as far as practicable to the National Guard and organized rifle clubs under regulations to be prescribed by the Secretary of War; warehouse and fuel handling equipment; stoves required for use of the Army for heating offices, hospitals, barracks, quarters, recruiting stations, and United States disciplinary barracks, also ranges and stoves for cooking food at posts, for post bakery and bake-oven equipment and apparatus and appliances for cooking and serving food when constituting fixed installations in buildings, including maintenance and repair of such heating and cooking appliances; for furnishing heat and light for the authorized allowance of quarters for officers, enlisted men, and warrant officers, including retired enlisted men when ordered to active duty, contract surgeons when stationed at and occupying public quarters at military posts, officers of the National Guard attending service and garrison schools, and for recruits, guards, hospitals, storehouses, offices, the buildings erected at private cost, in the operation of the Act approved May 31, 1902 (10 U. S. C. 1346), and buildings for a similar purpose on military reservations authorized by War Department regulations; for sale of fuel to officers; fuel and engine supplies required in the operation of modern batteries at established posts, \$14,203,400, of which amount \$2,500,000 shall be available immediately for the pro-

Construction, main-  
tenance, etc.  
Post, p. 994.

Rentals.

Water, roads, etc.

Target practice, etc.

Warehouse and fuel  
handling equipment.

Stoves and cooking  
appliances.

Heat, light, etc.

Buildings erected at  
private cost.  
32 Stat. 282.  
10 U. S. C. § 1346.

Fuel, engine sup-  
plies, etc.

*Provisos.*  
Fort Monroe, Va.,  
wharf, etc.

28 Stat. 212.

Military attachés,  
rental of offices, etc.

Construction, limi-  
tation on cost.

Stabling rental.

curement and transportation of fuel for the service of the fiscal year 1940: *Provided*, That the amounts to be assessed and collected by the Secretary of War for expenditure for maintenance purposes at Fort Monroe, Virginia, under the provisions of the Act of August 1, 1894 (28 Stat. 212), shall be \$13,520 for wharf and \$5,053 for roads and sewerage system: *Provided further*, That this appropriation shall be available for the rental of offices, garages, and stables for military attachés: *Provided further*, That no part of the funds herein appropriated shall be available for construction of a permanent nature of an additional building or an extension or addition to an existing building, the cost of which in any case exceeds \$20,000: *Provided further*, That the monthly rental rate to be paid out of this appropriation for stabling any animal shall not exceed \$15.

#### CONSTRUCTION AND REPAIR OF HOSPITALS

Construction and  
repair of hospitals.  
*Post*, p. 994.

Temporary hospi-  
tals, etc.

Appropriations for  
procurement, etc., of  
munitions of technical  
design.  
Use of, for procure-  
ment of gages, dies,  
jigs, etc.

39 Stat. 213, 215.  
50 U. S. C. §§ 80, 78.  
Purchase, etc., of  
letters patent.

For construction and repair of hospitals at military posts already established and occupied, including all expenditures for construction and repairs required at the Army and Navy Hospital at Hot Springs, Arkansas, and for the construction and repair of general hospitals and expenses incident thereto, and for additions needed to meet the requirements of increased garrisons, and for temporary hospitals in standing camps and cantonments; for the alteration of permanent buildings at posts for use as hospitals, construction and repair of temporary hospital buildings at permanent posts, construction and repair of temporary general hospitals, rental or purchase of grounds, and rental and alteration of buildings for use for hospital purposes in the District of Columbia and elsewhere, including necessary temporary quarters for hospital personnel, outbuildings, heating and laundry apparatus, plumbing, water and sewers, and electric work, cooking apparatus, and roads and walks for the same, \$494,709.

The appropriations contained in this Act which are available for the procurement or manufacture of munitions of war of special or technical design may be used for the development and procurement of gages, dies, jigs, and other special aids and appliances, production studies, factory plans, and other production data, including specifications and detailed drawings, in accordance with the provisions of sections 120 and 123 of the National Defense Act, as amended. Such appropriations may also be used for the purchase of letters patent, applications for letters patent, and licenses under letters patent and applications for letters patent that pertain to such equipment or material for which the appropriations are made.

#### SIGNAL CORPS

##### SIGNAL SERVICE OF THE ARMY

Telegraph and tele-  
phone systems.  
*Post*, p. 994.

Telephone appara-  
tus, etc.

Telegraph and telephone systems: Purchase, equipment, operation, and repair of military telegraph, telephone, radio, cable, and signaling systems; signal equipment and stores, heliographs, signal lanterns, flags, and other necessary instruments; wind vanes, barometers, anemometers, thermometers, and other meteorological instruments; photographic and cinematographic work performed for the Army by the Signal Corps; motorcycles, motor-driven and other vehicles for technical and official purposes in connection with the construction, operation, and maintenance of communication or signaling systems, and supplies for their operation and maintenance; professional and scientific books of reference, pamphlets, periodicals, newspapers, and maps for use of the Signal Corps and in the office of the Chief Signal Officer; telephone apparatus, including rental and payment for commercial, exchange, message, trunk-line, long-distance, and

leased-line telephone service at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, excepting the local telephone service for the various bureaus of the War Department in the District of Columbia, and toll messages pertaining to the office of the Secretary of War; electric time service; the rental of commercial telegraph lines and equipment, and their operation at or connecting any post, camp, cantonment, depot, arsenal, headquarters, hospital, aviation station, or other office or station of the Army, including payment for official individual telegraph messages transmitted over commercial lines; electrical installations and maintenance thereof at military posts, cantonments, camps, and stations of the Army, fire control and direction apparatus, and material for Field Artillery; salaries of civilian employees, including those necessary as instructors at vocational schools; supplies, general repairs, reserve supplies, and other expenses connected with the collecting and transmitting of information for the Army by telegraph or otherwise; experimental investigation, research, purchase, and development, or improvements in apparatus, and maintenance of signaling and accessories thereto, including machines, instruments, and other equipment for laboratory and repair purposes; lease, alteration, and repair of such buildings required for storing or guarding Signal Corps supplies, equipment, and personnel when not otherwise provided for, including the land therefor, the introduction of water, electric light and power, sewerage, grading, roads and walks, and other equipment required, \$7,828,804, of which \$1,490,071 shall be available immediately for the objects embraced by this paragraph, including the employment of persons and means at the seat of government and elsewhere.

Exceptions.

Rental of lines, etc.

Electrical installations.

Civilian employees.

Experimental investigation, etc.

Amount available immediately.

### AIR CORPS

#### AIR CORPS, ARMY

For creating, maintaining, and operating at established flying schools and balloon schools courses of instruction for officers, students, and enlisted men, including cost of equipment and supplies necessary for instruction, purchase of tools, equipment, materials, machines, textbooks, books of reference, scientific and professional papers, instruments, and materials for theoretical and practical instruction; for maintenance, repair, storage, and operation of airships, war balloons, and other aerial machines, including instruments, materials, gas plants, hangars, and repair shops, and appliances of every sort and description necessary for the operation, construction, or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith and the establishment of landing and take-off runways; for purchase of supplies for securing, developing, printing, and reproducing photographs in connection with aerial photography; improvement, equipment, maintenance, and operation of plants for testing and experimental work, and procuring and introducing water, electric light and power, gas, and sewerage, including maintenance, operation, and repair of such utilities at such plants, for the procurement of helium gas; for travel of officers of the Air Corps by air in connection with the administration of this appropriation, including the transportation of new aircraft from factory to first destination; salaries and wages of civilian employees as may be necessary; transportation of materials in connection with consolidation of Air Corps activities; experimental investigations and purchase and development of new types of airplanes, autogiros, and balloons, accessories thereto, and aviation engines, including plans, drawings, and specifications thereof; for the purchase, manufacture, and construction of airplanes and balloons, including instruments

Instruction, etc., expenses.  
*Post*, p. 995.

Aircraft operation, etc.

Runways.

Helium gas.

Civilian employees.

Development of new types of aircraft.

Purchase, construction, etc., of aircraft.

and appliances of every sort and description necessary for the operation, construction (airplanes and balloons), or equipment of all types of aircraft, and all necessary spare parts and equipment connected therewith; or the marking of military airways where the purchase of land is not involved; for the purchase, manufacture, and issue of special clothing, wearing apparel, and similar equipment for aviation purposes; for all necessary expenses connected with the sale or disposal of surplus or obsolete aeronautical equipment, and the rental of buildings, and other facilities for the handling or storage of such equipment; for the services of not more than four consulting engineers at experimental stations of the Air Corps as the Secretary of War may deem necessary, at rates of pay to be fixed by him not to exceed \$50 a day for not exceeding fifty days each and necessary traveling expenses; purchase of special apparatus and appliances, repairs, and replacements of same used in connection with special scientific medical research in the Air Corps; for maintenance and operation of such Air Corps printing plants outside of the District of Columbia as may be authorized in accordance with law; for publications, station libraries, special furniture, supplies and equipment for offices, shops, and laboratories; for special services, including the salvaging of wrecked aircraft; for settlement of claims (not exceeding \$250 each) for damage to persons and private property resulting from the operation of aircraft at home and abroad when each claim is substantiated by a survey report of a board of officers appointed by the commanding officer of the nearest aviation post and approved by the Chief of Air Corps and the Secretary of War, \$94,737,281, of which \$3,000,000 shall be available under the appropriation "Air Corps, Army, 1938", and \$15,826,894 shall be available under the appropriation "Air Corps, Army, 1939", for payments under contracts for the procurement of new airplanes and of equipment, spare parts, and accessories for airplanes, as authorized by said appropriations, and of which \$26,936,841 shall be available immediately for the objects embraced by this paragraph, including the employment of persons and means at the seat of government and elsewhere: *Provided*, That \$10,000 shall be transferred to and made available to the Bureau of Mines on July 1, 1939, for supplying helium: *Provided further*, That in addition to the amounts herein appropriated the Chief of the Air Corps, when authorized by the Secretary of War, may enter into contracts between the date of the approval of this Act and July 1, 1940, for the procurement of new airplanes and for the procurement of equipment, spare parts, and accessories for airplanes to an amount not in excess of \$32,205,988, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof: *Provided further*, That of the amount herein appropriated and the amount herein authorized for contractual obligation not less than \$57,494,962 (exclusive of \$18,826,894 for payment of obligations incurred under the above-mentioned contract authorizations for the fiscal years 1938 and 1939) shall be applied to the procurement of new airplanes and their equipment and accessories, of which amount of \$57,494,962 not less than \$56,113,200 shall be applied to the procurement of combat airplanes and their equipment and accessories: *Provided further*, That no part of this or any other appropriation contained in this Act shall be available for any expense incident to the use of Crissy Field, California, as an air station: *Provided further*, That the sum of \$22,000 of the appropriation for Air Corps, Army, fiscal year 1935, the sum of \$331,376 of the appropriation for Air Corps, Army, fiscal year 1936, and the sum of \$2,703,230 of the

Marking of military airways.

Consulting engineers.

Special apparatus and appliances.

Printing plants, etc.

Settlement of claims.

50 Stat. 455.  
52 Stat. 654.  
New airplanes, equipment, etc.

*Previous.*  
Helium.  
*Post*, p. 724.

Procurement of new airplanes, etc.

Combat airplanes.

Crissy Field, Calif., restriction on use of funds for.

Sums available for incurred obligations.  
48 Stat. 626; 49 Stat. 133; 49 Stat. 1290.

appropriation for Air Corps, Army, fiscal year 1937, shall remain available until June 30, 1940, for the payment of obligations incurred under contracts executed prior to July 1, 1937.

## MEDICAL DEPARTMENT

### ARMY

#### MEDICAL AND HOSPITAL DEPARTMENT

For the manufacture and purchase of medical and hospital supplies, including disinfectants, for military posts, camps, hospitals, hospital ships and transports, for laundry work for enlisted men and Army nurses while patients in a hospital, and supplies required for mosquito destruction in and about military posts in the Canal Zone; for the purchase of veterinary supplies and hire of veterinary surgeons; for expenses of medical supply depots; for medical care and treatment of patients, including supernumeraries, not otherwise provided for, including care and subsistence in private hospitals of officers, enlisted men, and civilian employees of the Army, of applicants for enlistment, and of prisoners of war and other persons in military custody or confinement, when entitled thereto by law, regulation, or contract: *Provided*, That this shall not apply to officers and enlisted men who are treated in private hospitals or by civilian physicians while on furloughs or leaves of absence in excess of twenty-four hours; for the proper care and treatment of epidemic and contagious diseases in the Army or at military posts or stations, including measures to prevent the spread thereof, and the payment of reasonable damages not otherwise provided for for bedding and clothing injured or destroyed in such prevention; for the care of insane Filipino soldiers in conformity with the Act of Congress approved May 11, 1908 (24 U. S. C. 198); for the pay of male and female nurses, not including the Army Nurse Corps, and of cooks and other civilians employed for the proper care of sick officers and soldiers, under such regulations fixing their number, qualifications, assignments, pay, and allowances as shall have been or shall be prescribed by the Secretary of War; for the pay of civilian physicians employed to examine physically applicants for enlistment and enlisted men and to render other professional services from time to time under proper authority; for the pay of other employees of the Medical Department; for the payment of express companies and local transfers employed directly by the Medical Department for the transportation of medical and hospital supplies, including bidders' samples and water for analysis; for supplies for use in teaching the art of cooking to the enlisted force of the Medical Department; for the supply of Army and Navy Hospital at Hot Springs, Arkansas; for advertising, laundry, and all other necessary miscellaneous expenses of the Medical Department, \$1,551,072.

Supplies.  
*Post*, p. 995.

Private treatment.

*Provido*.  
If on furlough, etc.

Epidemic and contagious diseases.

Insane Filipino soldiers.  
35 Stat. 122.  
24 U. S. C. § 198.  
Nurses.

Civilian physicians.

Army and Navy Hospital, Hot Springs, Ark.

#### HOSPITAL CARE, CANAL ZONE GARRISONS

For paying the Panama Canal such reasonable charges, exclusive of subsistence, as may be approved by the Secretary of War for caring in its hospitals for officers, enlisted men, military prisoners, and civilian employees of the Army admitted thereto upon the request of proper military authority, \$50,000: *Provided*, That the subsistence of the said patients, except commissioned officers, shall be paid to said hospitals out of the appropriation for subsistence of the Army at the rates provided therein for commutation of rations for enlisted patients in general hospitals.

Hospital care, Canal Zone garrisons.

*Provido*.  
Subsistence payments.



## CORPS OF ENGINEERS

## ENGINEER SERVICE, ARMY

Equipment, instruments, etc.

Engineer School, maintenance, etc.

Maps, surveys, etc.

Rentals.

Operating, etc., expenses.

Procurement of engineer equipment.

52 Stat. 657.

For the design, development, procurement, maintenance, alteration, repair, installation, storage, and issue of engineer equipment, instruments, appliances, supplies, materials, tools, and machinery required in the equipment and training of troops and in military operations, including military surveys and the Engineer School; for the operation and maintenance of the Engineer School, including (a) compensation of civilian lecturers, and (b) purchase and binding of scientific and professional books, pamphlets, papers, and periodicals; for the procurement, preparation, and reproduction of maps and similar data for military purposes; for expenses incident to the Engineer service in military operations, including military surveys, and including (a) research and development of improved methods in such operations, (b) the rental of storehouses and grounds within and outside the District of Columbia, and (c) repair and alteration of buildings; for heat, light, power, water, and communication service, not otherwise provided for; and for the compensation of employees required in these activities, \$1,044,340, of which amount not to exceed \$180,000 shall be available for payments under contracts for the procurement of Engineer equipment under the authorization contained in the Military Appropriation Act for the fiscal year 1939.

## ORDNANCE DEPARTMENT

## ORDNANCE SERVICE AND SUPPLIES, ARMY

Manufacture, issue, etc.  
*Post*, p. 995.

Contingent expenses.

Vehicles.

Ammunition for military salutes.

Libraries of Ordnance Department.

Consulting engineers.

Contracts for ordnance material, etc.

52 Stat. 657.

For manufacture, procurement, storage, and issue, including research, planning, design, development, inspection, test, alteration, maintenance, repair, and handling of ordnance material, together with the machinery, supplies, and services necessary thereto; for supplies and services in connection with the general work of the Ordnance Department, comprising police and office duties, rents, tolls, fuel, light, water, advertising, stationery, typewriting and computing machines, including their exchange, and furniture, tools, and instruments of service; to provide for training and other incidental expenses of the ordnance service; for instruction purposes, other than tuition; for the purchase, completely equipped, of trucks, and for maintenance, repair, and operation of motor-propelled and horse-drawn freight and passenger-carrying vehicles; for ammunition for military salutes at Government establishments and institutions to which the issues of arms for salutes are authorized; for services, material, tools, and appliances for operation of the testing machines and chemical laboratory in connection therewith; for publication for libraries of the Ordnance Department, including the Ordnance Office, including subscriptions to periodicals; for services of not more than four consulting engineers as the Secretary of War may deem necessary, at rates of pay to be fixed by him not to exceed \$50 per day for not exceeding fifty days each, and for their necessary traveling expenses, \$53,173,100, of which not to exceed \$12,900,000 shall be available for payments under contracts for the procurement or production of ordnance material, machinery, and supplies under the authorization contained in the Military Appropriation Act for the fiscal year 1939, and of which \$2,067,100 shall be available immediately for the objects embraced by this paragraph, including the employment of persons and means at the seat of government and elsewhere; also, in addition, the Chief of Ordnance, when authorized by the Secretary of War may enter into contracts prior to July 1, 1940, for the procurement or production of ordnance material, machinery, and supplies to an

amount not in excess of \$8,000,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof.

#### ROCK ISLAND BRIDGE, ROCK ISLAND, ILLINOIS

For operating, repair, and preservation of Rock Island bridges and viaduct, and maintenance and repair of the arsenal street connecting the bridges, \$32,835.

Operating bridges, etc.

#### REPAIRS OF ARSENALS

For repairs and improvements of ordnance establishments, and to meet such unforeseen expenditures as accidents or other contingencies may require, \$1,050,000.

Repairs of arsenals.  
*Post*, p. 996.

#### CHEMICAL WARFARE SERVICE

For purchase, manufacture, and test of chemical warfare gases or other toxic substances, gas masks, or other offensive or defensive materials or appliances required for gas-warfare purposes; investigations, research, design, experimentation, and operation, purchase of chemicals, special scientific and technical apparatus and instruments, including services connected therewith; for the payment of part-time or intermittent employment of such scientists and technicians as may be contracted for by the Secretary of War, in his discretion, at a rate of pay not exceeding \$20 per diem for any person so employed; for the purchase, maintenance, repair, and operation of freight- and passenger-carrying motor vehicles; construction, maintenance, and repair of plants, buildings, and equipment, and the machinery therefor; receiving, storing, and issuing of supplies, comprising police and office duties, rents, tolls, fuels, gasoline, lubricants, paints and oils, rope and cordage, light, water, advertising, stationery, typewriting and adding machines including their exchange, office furniture, tools, and instruments; for incidental expenses; for civilian employees; for libraries of the Chemical Warfare Service and subscriptions to periodicals; for expenses incidental to the organization, training, and equipment of special gas troops not otherwise provided for, including the training of the Army in chemical warfare, both offensive and defensive, together with the necessary schools, tactical demonstrations, and maneuvers; for current expenses of chemical projectile filling plants and proving grounds, including construction and maintenance of rail transportation, repairs, alterations, accessories, building and repairing butts and targets, clearing and grading ranges, \$1,663,000.

Purchase, manufacture, etc., of gases.  
*Post*, p. 996.

Part-time employment of scientists, etc.

Vehicles.

Plants, buildings, machinery, etc.

Civilian employees.

Special gas troops.

Projectile filling plants and proving grounds.

#### CHIEF OF INFANTRY

##### INFANTRY SCHOOL, FORT BENNING, GEORGIA

For the procurement of books, publications, instruments, and materials, pay of employees, and other necessary expenses for instruction at the Infantry School, \$60,027.

Instruction expenses.

#### CHIEF OF CAVALRY

##### INSTRUCTION IN CAVALRY ACTIVITIES

For the purchase of textbooks, books of reference, scientific and professional papers, instruments, and materials for instruction; employment of temporary, technical, special, and clerical services; and for other necessary expenses of instruction at the Cavalry School, Fort Riley, Kansas; and for the instruction of the Army in cavalry activities, \$28,120.

Instruction expenses.

## CHIEF OF FIELD ARTILLERY

## INSTRUCTION IN FIELD ARTILLERY ACTIVITIES

Instruction ex-  
penses.

For the pay of employees; the purchase of books, pamphlets, periodicals, and newspapers; procurement of supplies, materials, and equipment for instruction purposes; and other expenses necessary in the operation of the Field Artillery School of the Army, and for the instruction of the Army in field artillery activities, \$30,990.

## CHIEF OF COAST ARTILLERY

## COAST ARTILLERY SCHOOL, FORT MONROE, VIRGINIA

Instruction ex-  
penses.

For purchase of engines, generators, motors, machines, measuring and nautical instruments, special apparatus, and materials for experimental purposes for the engineering and artillery and military art departments and enlisted specialists division; for purchase and binding of professional books treating of military and scientific subjects for library, for use of school, and for temporary use in coast defense; for newspapers and periodicals; for incidental expenses of the school, including chemicals, stationery, printing and binding; hardware; materials; cost of special instruction of officers detailed as instructors; employment of temporary, technical, or special services; for office furniture and fixtures; for machinery; for maintenance, operation, and repair of motortrucks; and unforeseen expenses; in all, \$28,260.

Printing and bind-  
ing.

## SEACOAST DEFENSES

Expenses.

For all expenses incident to the preparation of plans and the construction, purchase, installation, equipment, maintenance, repair, and operation of fortifications and other works of defense, and their accessories, including personal services, ammunition storage, maintenance of channels to submarine-mine wharves, purchase of lands and rights-of-way as authorized by law, and experimental, test, and development work, as follows:

United States.

United States, \$2,965,012, of which \$887,537 shall be available for construction work by the Corps of Engineers until June 30, 1941;

Insular depart-  
ments.  
Panama Canal.

Insular departments, \$1,710,014;

Panama Canal, \$2,575,497, of which \$1,146,000 shall be available for construction work by the Corps of Engineers until June 30, 1941;  
In all, \$7,250,523.

## UNITED STATES MILITARY ACADEMY

## PAY OF MILITARY ACADEMY

Cadets.  
*Provisos.*  
Army detail, pay re-  
striction.

Cadets: For pay of cadets, \$1,375,920: *Provided*, That during the fiscal year ending June 30, 1940, no officer of the Army shall be entitled to receive any increase in pay or allowances because of detail or assignment to duty in any capacity at the Military Academy: *Provided further*, That the duties of librarian of the United States Military Academy may be performed by an officer of the Regular Army retired from active service under the provisions of section 1251, Revised Statutes, and detailed on active duty for that purpose.

Retired Army offi-  
cer as librarian.

Civilians: For pay of employees, \$320,880.

R. S. § 1251.  
10 U. S. C. § 933.  
Civilians.

## MAINTENANCE AND OPERATION, UNITED STATES MILITARY ACADEMY

Designated ex-  
penses.

For text and reference books for instruction; increase and expense of library (not exceeding \$6,000); office equipment and supplies; stationery, blank books, forms, printing and binding, and periodicals;

diplomas for graduates; expense of lectures; apparatus, equipment, supplies, and materials for purpose of instruction and athletics, and maintenance and repair thereof; musical instruments and maintenance of band; care and maintenance of organ; equipment for cadet mess; postage, telephones, and telegrams; freight and expressage; for commutation of rations for cadets in lieu of the regular established ration; maintenance of children's school (not exceeding \$12,200); contingencies for superintendent of the academy, to be expended in his discretion (not to exceed \$7,100, of which \$900 shall be available immediately); expenses of the members of the Board of Visitors (not exceeding \$1,500); contingent fund, to be expended under the direction of the Academic Board (not exceeding \$1,000); improvement, repair, and maintenance of buildings and grounds (including roads, walls, and fences); shooting galleries and ranges; cooking, heating, and lighting apparatus and fixtures and operation and maintenance thereof; maintenance of water, sewer, and plumbing systems; maintenance of and repairs to cadet camp; fire-extinguishing apparatus; machinery and tools and repairs of same; maintenance, repair, and operation of motor-propelled vehicles; policing buildings and grounds; furniture, refrigerators, and lockers for Government-owned buildings at the academy and repair and maintenance thereof; fuel for heat, light, and power; and other necessary incidental expenses in the discretion of the superintendent; in all, \$1,635,000: *Provided*, That not to exceed \$3,750 of this amount shall be available to liquidate the indebtedness of cadets separated from the service for any reason during their first year, who at the time of their separation are in debt to the cadet store.

Board of Visitors.

*Proviso.*  
Liquidation of certain debts to cadet store.

## NATIONAL GUARD

### ARMING, EQUIPPING, AND TRAINING THE NATIONAL GUARD

For procurement of forage, bedding, and so forth, for animals used by the National Guard, \$646,393.

Forage, etc.

For compensation of help for care of materials, animals, and equipment, \$2,768,332, of which \$210,000 shall be available exclusively for the compensation of employees engaged upon Federal property custodial and accounting work in the offices of property and disbursing officers for the United States.

Care of materials, animals, etc.  
*Post*, p. 996.

For expenses, camps of instruction and air fields, field and supplemental training, including construction and maintenance, and the hire (at a rate not to exceed \$1 per diem), repair, maintenance, and operation of motor-propelled passenger-carrying vehicles, \$10,896,937: *Provided*, That not to exceed \$25,000 of this appropriation shall be available for the settlement of claims (not exceeding \$500) for damages to or loss of private property incident to the operation of camps of instruction, either during the stay of National Guard units in such camps or while thereto or therefrom en route: *Provided further*, That not to exceed \$500,000 of this appropriation shall be available for construction at concurrent camps.

Instruction expenses.

*Provisos.*  
Settlement of claims.

Construction at concurrent camps.

For expenses, selected officers and enlisted men, military service schools, \$444,570.

Service schools, instruction, etc.

For pay of property and disbursing officers for the United States, at a rate not less than \$2,400 per annum, \$126,900.

Property and disbursing officers.

For general expenses, equipment, and instruction, National Guard, the hire (at a rate not to exceed \$1 per diem), repair, maintenance, and operation of motor-propelled passenger- and non-passenger-carrying vehicles, and the medical and hospital treatment of members of the National Guard who suffer personal injury or contract disease in

Equipment, etc.  
*Post*, p. 996.

Medical, etc., treatment.

Burial expenses.  
49 Stat. 1507.  
10 U. S. C., Supp.  
IV, §§ 455a-d.  
Travel, Army officers,  
etc.  
*Post*, p. 996.

Transportation of  
equipment, etc.  
*Post*, p. 996.  
Army enlisted men,  
details.  
*Post*, p. 996.

Pay, armory drills.  
*Post*, p. 996.  
No pay to National  
Guard officer, etc.,  
drawing pension.

*Provisos.*  
Surrender of pension.

Adjutants general,  
continuation in present  
status without pay.

line of duty, and other expenses in connection therewith, including pay and allowances, subsistence, transportation, and burial expenses, as authorized by the Act of June 15, 1936 (49 Stat. 1507), \$913,606.

For travel of officers, warrant officers, and enlisted men of the Regular Army detailed to, or while on, duty with the National Guard, including transportation of dependents, transportation of mounts, and transportation, packing, and crating of household goods and effects as authorized by law, \$280,586.

For transportation of equipment and supplies, \$387,942.

For expenses of enlisted men of the Regular Army on duty with the National Guard, including payment of an allowance for quarters at the rate of \$35 per month to each man not furnished quarters in kind, \$334,375.

For pay of National Guard (armory drills), \$14,711,365.

No part of the appropriations made in this Act shall be available for pay, allowances, or traveling or other expenses of any officer or enlisted man of the National Guard who may be drawing a pension, disability allowance, disability compensation, or retired pay (where retirement has been made on account of physical disability or age) from the Government of the United States: *Provided*, That nothing in this provision shall be so construed as to prevent the application of funds herein contained to the pay, allowances, or traveling expenses of any officer or enlisted man of the National Guard who may surrender said pension, disability allowance, disability compensation, or retired pay for the period of his service in the National Guard: *Provided further*, That adjutants general who may be drawing such emoluments may be continued in a federally recognized status without pay under this Act.

#### ARMS, UNIFORMS, EQUIPMENT, AND SO FORTH, FOR FIELD SERVICE, NATIONAL GUARD

Procurement of arms  
and equipment.  
*Post*, p. 997.  
Requisitions from  
Governors, etc.

Motor trucks, etc.

Increase in strength.

Accounting.

*Provisos.*  
Specifications for  
motor vehicles.

Contract obligations.

To procure by purchase or manufacture and issue from time to time to the National Guard, upon requisition of the Governors of the several States and Territories or the commanding general, National Guard of the District of Columbia, such military equipment and stores of all kinds and reserve supply thereof as are necessary to arm, uniform, and equip for field service the National Guard of the several States, Territories, and the District of Columbia, including animals, motor trucks, motorcycles, field ambulances, and station wagons and to repair such of the aforementioned articles of equipage and military stores as are or may become damaged when, under regulations prescribed by the Secretary of War, such repair may be determined to be an economical measure and as necessary for their proper preservation and use, \$14,067,299, and of the total of such amount \$500,000 shall be available exclusively for defraying the cost of increasing the strength of the National Guard above approximately two hundred and five thousand officers and men, and all of the sums appropriated in this Act on account of the National Guard shall be accounted for as one fund, and of the total of all sums appropriated in this Act on account of the National Guard, \$1,500,000 shall be available immediately: *Provided*, That specifications for motor vehicles, which shall be so drawn as to admit of competition, shall to the extent otherwise practicable conform with the requirements of the National Guard: *Provided further*, That the sum of \$30,000 of the appropriation for National Guard, fiscal year 1937, shall remain available until June 30, 1940, for the payment of obligations incurred under contracts for airplanes, spare parts, and accessories executed prior to July 1, 1937:

*Provided further*, That the value of issues made to any State, Territory, or the District of Columbia to replace property surveyed in accordance with section 87, National Defense Act of June 3, 1916, as amended, shall not be charged to the apportionments required by section 67 of that Act, but no such replacement issue shall be made in excess of receipts theretofore collected and covered into the Treasury as miscellaneous receipts pursuant to said section 87, as amended, and section 4 (a) and (b) (22) of the Permanent Appropriation Repeal Act of June 26, 1934: *Provided further*, That the Secretary of War is hereby authorized to issue from surplus stores and material on hand and purchased for the United States Army such articles of clothing and equipment and Field Artillery, Engineer, and Signal material and ammunition as may be needed by the National Guard organized under the provisions of the Act entitled "An Act for making further and more effectual provision for the national defense, and for other purposes", approved June 3, 1916 (32 U. S. C. 21), as amended. This issue shall be made without charge against National Guard appropriations except for actual expenses incident to such issue.

No appropriation contained in this Act shall be available for any expense for or on account of a larger number of mounted units and wagon companies of the National Guard than were in existence on June 30, 1932: *Provided*, That officers, warrant officers, and enlisted men of the National Guard and Organized Reserves, who, under regulations prescribed by the Secretary of War, volunteer to participate without pay as competitors or range officers in the national matches to be held during the fiscal year 1940, may attend such matches without pay, notwithstanding any provision of law to the contrary, but shall be entitled to travel and subsistence allowances at the same rates as are provided for civilians who attend and participate in said matches, but this proviso shall not operate to prohibit the pay of such competitors or range officers, provided funds for such payment are available from the appropriation "Promotion of rifle practice, 1940", nor shall any provision in this Act operate to deprive a Reserve officer ordered to active duty incident to the national matches of pay for the full period of such active duty, provided funds for such payment are available from the appropriation "Promotion of rifle practice, 1940": *Provided further*, That officers, warrant officers, and enlisted men of the National Guard and Organized Reserves may be ordered to duty, with their consent, for the care, maintenance, and operation of the ranges used in the conduct of the national matches, and such officers, warrant officers, and enlisted men while so engaged shall be entitled to the same pay, subsistence, and transportation as officers, warrant officers, and enlisted men of corresponding grades of the Regular Army are entitled by law, which expense shall be provided by the appropriation "Promotion of rifle practice"; and after being duly mustered may be paid for the period from the date of leaving home rendezvous to date of return thereto as determined in advance, both dates inclusive.

#### ORGANIZED RESERVES

For pay and allowances of members of the Officers' Reserve Corps on active duty in accordance with law; mileage, reimbursement of actual traveling expenses, or per diem allowances in lieu thereof, as authorized by law: *Provided*, That the mileage allowance to members of the Officers' Reserve Corps when called into active service for training for fifteen days or less shall not exceed 4 cents per mile; for

Replacement of damaged property.  
39 Stat. 204.  
32 U. S. C. § 47.

39 Stat. 199.  
32 U. S. C. § 22.

48 Stat. 1227.  
31 U. S. C. § 725c.  
Clothing, equipment, etc., from Army surplus stores.

39 Stat. 199.  
32 U. S. C. § 21.  
Issue without charge against fund; exception.

Increase of mounted units, etc., restriction on use of funds for.

*Proviso.*  
Participation in national matches.

Travel and subsistence allowances.

*Post*, p. 617.  
Reserve officers.

Care, etc., of ranges.

*Post*, p. 617.

Officers' Reserve Corps, members on active duty.  
*Post*, p. 997.

*Proviso.*  
Mileage allowance.

Enlisted Reserve Corps.	travel in kind, or reimbursement in lieu thereof, as now authorized by law for officers of the Regular Army, of dependents of Reserve officers who have been ordered to active duty for periods in excess of fifteen days; pay, transportation, subsistence, clothing, and medical and hospital treatment of members of the Enlisted Reserve Corps;
Correspondence, etc., courses.	conducting correspondence or extension courses for instruction of members of the Reserve Corps, including necessary supplies, procurement of maps and textbooks, and transportation and traveling expenses of employees; purchase of training manuals, including Government publications and blank forms, subscriptions to magazines and periodicals of a professional or technical nature; establishment, maintenance, and operation of Organized Reserve headquarters and of camps for training of the Organized Reserves; for miscellaneous expenses incident to the administration of the Organized Reserves, including the maintenance and operation of motor-propelled passenger-carrying vehicles and purchase of thirty such vehicles; for the actual and necessary expenses, or per diem in lieu thereof, at rates authorized by law, incurred by officers and enlisted men of the Regular Army and Reserve officers ordered to active duty for periods in excess of fifteen days traveling on duty in connection with the Organized Reserves, and for travel of dependents, and packing and transportation of baggage of such personnel; for expenses incident to the use, including upkeep and depreciation costs, of supplies, equipment, and matériel furnished in accordance with law from stocks under the control of the War Department, except that not to exceed \$1,083,440 of this appropriation shall be available for expenditure by the Chief of the Air Corps for the production and purchase of new airplanes and their equipment, spare parts, and accessories; for transportation of baggage, including packing and crating, of Reserve officers ordered to active duty for not less than six months; for the medical and hospital treatment of members of the Officers' Reserve Corps and of the enlisted Reserve Corps, who suffer personal injury or contract disease in line of duty, as provided by the Act of June 15, 1936 (49 Stat. 1507), and for such other purposes in connection therewith as are authorized by the said Act, including pay and allowances, subsistence, transportation, and burial expenses; in all, \$12,802,557; and no part of such amount shall be available for any expense incident to giving flight training to any officer of the Officers' Reserve Corps unless he shall be found physically and professionally qualified to perform aviation service as an aviation pilot, by such agency as the Secretary of War may designate: <i>Provided</i> , That not to exceed \$171,000 of this appropriation may be used for establishment, operation, and maintenance of Organized Reserve headquarters.
Training manuals.	
Headquarters and training camps.	
Vehicles.	
New airplanes.	
Baggage transportation.	
Medical and hospital treatment.	
49 Stat. 1507. 10 U. S. C., Supp. IV, §§ 455a-455d.	
Flight training restriction.	
<i>Proviso.</i> Organized Reserve headquarters.	
Restriction on use of other funds.	
Use of available supplies, etc.	None of the funds appropriated elsewhere in this Act, except for printing and binding, field exercises, and for pay and allowances of officers and enlisted men of the Regular Army, and for mileage, reimbursement of actual traveling expenses, or per-diem allowances in lieu thereof, as authorized by law, to Air Corps Reserve officers on extended active duty, shall be used for expenses in connection with the Organized Reserves, but available supplies and existing facilities at military posts shall be utilized to the fullest extent practicable.
No pay to officer drawing pension, etc.	No appropriation made in this Act shall be available for pay, allowances, or traveling or other expenses of any officer of the Organized Reserves who may be drawing a pension, disability allowance, disability compensation, or retired pay from the Government of the United States: <i>Provided</i> , That nothing in this provision shall be so construed as to prevent the application of funds herein contained to
<i>Proviso.</i> Surrender of pension.	

the pay, allowances, or traveling expenses of any officer or enlisted man of the Reserve Corps who may surrender said pension, disability allowance, disability compensation, or retired pay for the period of his active duty in the Reserve Corps.

No appropriation made in this Act shall be expended for the pay of a Reserve officer on active duty for a longer period than fifteen days, except such as may be detailed for duty with the War Department General Staff under section 3a and section 5 (b) of the National Defense Act, as amended (10 U. S. C. 26, 37), or who may be detailed for courses of instruction at the general or special service schools of the Army, or to Corps Area staff schools, or for duty as instructors at civilian military training camps, appropriated for in this Act, or for duty with the Air Corps, under the provisions of section 1 of the Act of June 16, 1936 (49 Stat. 1524), or who may be detailed to active duty with the Regular Army under the provisions of the Act of August 30, 1935 (10 U. S. C. 369a): *Provided*, That the pay and allowances of such additional officers and nurses of the Medical Reserve Corps as are required to supplement the like officers and nurses of the Regular Army in the care of beneficiaries of the United States Veterans' Administration treated in Army hospitals may be paid from the funds allotted to the War Department by that Administration under existing law.

### CITIZENS' MILITARY TRAINING

#### RESERVE OFFICERS' TRAINING CORPS

For the procurement, maintenance, and issue, under such regulations as may be prescribed by the Secretary of War, to institutions at which one or more units of the Reserve Officers' Training Corps are maintained, of such public animals, means of transportation, supplies, tentage, equipment, and uniforms as he may deem necessary, including cleaning and laundering of uniforms and clothing at camps; and to forage, at the expense of the United States, public animals so issued, and to pay commutation in lieu of uniforms at a rate to be fixed annually by the Secretary of War; for transporting said animals and other authorized supplies and equipment from place of issue to the several institutions and training camps and return of same to place of issue when necessary; for purchase of training manuals, including Government publications and blank forms; for the establishment and maintenance of camps for the further practical instruction of the members of the Reserve Officers' Training Corps, and for transporting members of such corps to and from such camps, and to subsist them while traveling to and from such camps and while remaining therein so far as appropriations will permit, or, in lieu of transporting them to and from such camps and subsisting them while en route, to pay them travel allowance at the rate of 5 cents per mile for the distance by the shortest usually traveled route from the places from which they are authorized to proceed to the camp and for the return travel thereto, and to pay the return travel pay in advance of the actual performance of the travel; for expenses incident to the use, including upkeep and depreciation costs, of supplies, equipment, and matériel furnished in accordance with law from stocks under the control of the War Department; for pay for students attending advanced camps at the rate prescribed for soldiers of the seventh grade of the Regular Army; for the payment of commutation of subsistence to members of the senior division of the Reserve Officers' Training Corps, at a rate not exceeding the cost of the garrison ration prescribed for the Army, as authorized in the

Reserve officer on active duty, pay restriction.  
General Staff detail excepted.

41 Stat. 760.  
10 U. S. C. §§ 37, 26;  
Supp. IV, § 26 (note).  
Other details.

49 Stat. 1524.  
10 U. S. C., Supp. IV, § 292b-2.  
49 Stat. 1028.  
10 U. S. C., Supp. IV, § 369a.  
*Proviso.*  
Medical Reserve Corps, Veterans' Administration patients in Army hospitals.

Supplies, etc.

Training camps, etc.

Travel allowance.

Students attending advanced camps.

Subsistence commutation, senior division.



39 Stat. 194; 41 Stat. 778.  
10 U. S. C. § 387.  
Medical, etc., treatment.

49 Stat. 1507.  
10 U. S. C., Supp. IV, §§ 455a-455d.

Vehicles.

*Provisos.*  
Issue of Army horses.

Uniforms, etc., from Army surplus stock.

Current price not to be exceeded.

Limitation on number of mounted, etc., units.

No additional students in designated units.

Restriction on use of other funds.

Act approved June 3, 1916, as amended by the Act approved June 4, 1920 (10 U. S. C. 387); for the medical and hospital treatment of members of the Reserve Officers' Training Corps, who suffer personal injury or contract disease in line of duty, and for other expenses in connection therewith, including pay and allowances, subsistence, transportation, and burial expenses, as authorized by the Act of June 15, 1936 (49 Stat. 1507); for mileage, traveling expenses, or transportation, for transportation of dependents, and for packing and transportation of baggage, as authorized by law, for officers, warrant officers, and enlisted men of the Regular Army traveling on duty pertaining to or on detail to or relief from duty with the Reserve Officers' Training Corps; for the purchase, maintenance, repair, and operation of motor vehicles, including station wagons, \$4,964,544, of which amount \$400,000 shall be available immediately: *Provided*, That the Secretary of War is authorized to issue, without charge, in lieu of purchase, for the use of the Reserve Officers' Training Corps, so many horses now belonging to the Regular Army as he may consider desirable: *Provided*, That uniforms and other equipment or material issued to the Reserve Officers' Training Corps in accordance with law shall be furnished from surplus stocks of the War Department without payment from this appropriation, except for actual expense incurred in the manufacture or issue: *Provided further*, That in no case shall the amount paid from this appropriation for uniforms, equipment, or material furnished to the Reserve Officers' Training Corps from stocks under the control of the War Department be in excess of the price current at the time the issue is made: *Provided further*, That none of the funds appropriated in this Act shall be used for the organization or maintenance of an additional number of mounted, motor transport, or tank units in the Reserve Officers' Training Corps in excess of the number in existence on January 1, 1928: *Provided further*, That none of the funds appropriated in this Act shall be available for any expense on account of any student in Air Corps, Dental Corps, or Veterinary units not a member of such units on May 5, 1932, but such stoppage of further enrollments shall not interfere with the maintenance of existing units: *Provided further*, That none of the funds appropriated elsewhere in this Act, except for printing and binding and pay and allowances of officers and enlisted men of the Regular Army, shall be used for expenses in connection with the Reserve Officers' Training Corps.

#### MILITARY SUPPLIES AND EQUIPMENT FOR SCHOOLS AND COLLEGES

Procurement and issue.  
41 Stat. 780.  
10 U. S. C. § 1180.  
R. S. § 1225.  
34 U. S. C. § 1129.

For the procurement and issue as provided in section 55c of the Act approved June 4, 1920 (10 U. S. C. 1180), and in section 1225, Revised Statutes, as amended, under such regulations as may be prescribed by the Secretary of War, to schools and colleges, other than those provided for in section 40 of the Act above referred to, of such arms, tentage, and equipment, and of ammunition, targets, and target materials, including the transporting of same, and the overhauling and repair of articles issued, as the Secretary of War shall deem necessary for proper military training in said schools and colleges, \$8,900.

#### CITIZENS' MILITARY TRAINING CAMPS

Uniforms, transportation expenses, etc.

41 Stat. 779.  
10 U. S. C. § 442.

For furnishing, at the expense of the United States, to warrant officers, enlisted men, and civilians attending training camps maintained under the provisions of section 47d of the National Defense Act of June 3, 1916, as amended (10 U. S. C. 442), uniforms including altering, fitting, washing, and cleaning when necessary, subsist-

ence, or subsistence allowances and transportation, or transportation allowances, as prescribed in said section 47d, as amended; for such expenditures as are authorized by said section 47d as may be necessary for the establishment and maintenance of said camps, including recruiting and advertising therefor, and the cost of maintenance, repair, and operation of passenger-carrying vehicles; for expenses incident to the use, including upkeep and depreciation costs, of supplies, equipment, and matériel furnished in accordance with law from stocks under the control of the War Department; for gymnasium and athletic supplies (not exceeding \$20,000); for mileage, reimbursement of traveling expenses, or allowance in lieu thereof as authorized by law, for officers of the Regular Army and Organized Reserves, and for the travel expenses of enlisted men of the Regular Army, traveling on duty in connection with citizens' military training camps; for purchase of training manuals, including Government publications and blank forms; for medical and hospital treatment of members of the citizens' military training camps, who suffer personal injury or contract disease in line of duty, and for other expenses in connection therewith, including subsistence, transportation, and burial expenses, as authorized by the Act of June 15, 1936 (49 Stat. 1507); in all, \$2,275,000, of which \$200,000 shall be immediately available: *Provided*, That the funds herein appropriated shall not be used for the training of any person in the first year or lowest course who shall have reached his twenty-fourth birthday before the date of enrollment: *Provided further*, That none of the funds appropriated elsewhere in this Act except for printing and binding and for pay and allowances of officers and enlisted men of the Regular Army shall be used for expenses in connection with citizens' military training camps: *Provided further*, That uniforms and other equipment or matériel furnished in accordance with law for use at citizens' military training camps shall be furnished from surplus stocks of the War Department without payment from this appropriation, except for actual expense incurred in the manufacture or issue: *Provided further*, That in no case shall the amount paid from this appropriation for uniforms, equipment, or matériel furnished in accordance with law for use at citizens' military training camps from stocks under the control of the War Department be in excess of the price current at the time the issue is made.

Vehicles, maintenance, etc.

Purchase of training manuals.  
Medical and hospital treatment.

Burials.  
49 Stat. 1507.  
10 U. S. C., Supp. IV, §§ 455a-455d.

*Provisos.*  
Age limitation.

Restriction on use of other funds.

Uniforms, etc., from Army surplus stock.

Current price not to be exceeded.

#### NATIONAL BOARD FOR PROMOTION OF RIFLE PRACTICE, ARMY

Promotion of rifle practice: For construction, equipment, and maintenance of rifle ranges, the instruction of citizens in marksmanship, and promotion of practice in the use of rifled arms; for arms, ammunition, targets, and other accessories for target practice, for issue and sale in accordance with rules and regulations prescribed by the National Board for the Promotion of Rifle Practice and approved by the Secretary of War; for clerical services, including not exceeding \$25,000 in the District of Columbia; for procurement of materials, supplies, trophies, prizes, badges, and services, as authorized in section 113, Act of June 3, 1916, and in War Department Appropriation Act of June 7, 1924; for the conduct of the National Matches, including incidental travel of rifle teams and of individuals and of Marine Corps and other detachments required in the operation of the matches; and for maintenance of the National Board for the Promotion of Rifle Practice, including not to exceed \$7,500 for its incidental expenses as authorized by Act of May 28, 1928; to be expended under the direction of the Secretary of War, \$645,656.

Promotion of rifle practice.  
Instruction expenses, etc.  
*Post*, p. 997.

Supplies, etc.

39 Stat. 211; 43 Stat. 510.  
32 U. S. C. §§ 183, 186, 181.

45 Stat. 786.  
32 U. S. C. §§ 181a-181c; Supp. IV, § 181b.

No pay to officer, etc., using time-measuring device.

Limitation on cash rewards.

Private use of Government vehicles.

Limitation on use of funds for post exchanges.

Provisos.  
Report required.

Isolated posts.

Short title.

No part of the appropriations made in this Act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch, or other time-measuring device, a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this Act be available to pay any premiums or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant.

SEC. 2. No part of any money appropriated by this Act shall be used for maintaining, driving, or operating any Government-owned motor-propelled passenger-carrying vehicle assigned for the exclusive use of persons other than the Secretary of War and medical officers on out-patient medical service.

SEC. 3. No part of any appropriation made by this Act shall be used in any way to pay any expense in connection with the conduct, operation, or management of any post exchange, branch exchange, or sub-exchange within any State, Territory, or the District of Columbia, save and except for real assistance and convenience to military personnel and civilians employed or serving at military posts and to retired enlisted naval personnel in supplying them with articles of small personal needs, not similar to those furnished by the Government: *Provided*, That the commanding officer of the post at which any such exchange is situated shall certify on the monthly report of the post exchange council that such exchange was, during the period covered by such report, operated in compliance with this section: *Provided further*, That at posts isolated from a convenient market the Secretary of War may broaden the nature of the articles to be sold.

SEC. 4. This Act may be cited as the "Military Appropriation Act, 1940".

Approved, April 26, 1939.

#### [CHAPTER 89]

#### AN ACT

April 26, 1939

[S. 828]

[Public, No. 45]

To permit the President to acquire and convert, as well as to construct, certain auxiliary vessels for the Navy.

Navy.

50 Stat. 544.

Auxiliary vessels, acquisition and conversion or construction of certain, authorized.

Types.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 1 of the Act entitled "An Act to authorize the construction of certain auxiliary vessels for the Navy", approved July 30, 1937 (50 Stat. 544), is hereby amended by inserting after the word "authorized", in the fifth line thereof, the words "to acquire and convert or", so that the said section as amended will read as follows:

"That for the purpose of furnishing or replacing auxiliary vessels urgently necessary for the proper maintenance and operation of the Navy, the President of the United States is hereby authorized to acquire and convert or to undertake the construction of about thirty-six thousand and fifty tons (light displacement tonnage) of such auxiliary vessels as follows, at a total cost for all vessels of not more than \$50,000,000;

"(a) One seaplane tender of about eight thousand three hundred tons;

"(b) One destroyer tender of about nine thousand tons;

- “(c) One mine sweeper of about six hundred tons;  
 “(d) One submarine tender of about nine thousand tons;  
 “(e) One fleet tug of about one thousand one hundred and fifty tons; and  
 “(f) One oil tanker of about eight thousand tons.”

SEC. 2. Sums heretofore or hereafter appropriated or made available for the commencement or for the construction and machinery, and armor, armament, and ammunition of auxiliary vessels for the Navy shall be held and considered to be available either for the acquisition and conversion or for the construction of such vessels.

SEC. 3. The Act entitled “An Act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1937, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1938, and for other purposes” (50 Stat. 755), is hereby amended by deleting therefrom, at page 768, the words “and the cost of either shall not exceed the estimated cost thereof set forth on pages 524 and 525 of the hearings of the House Committee on Appropriations on the Third Deficiency Appropriation Bill for the fiscal year 1937”: *Provided*, That nothing herein contained shall be construed as increasing the limit of the total cost of \$50,000,000 imposed by the Act of July 30, 1937, on the auxiliary vessels authorized therein.

Approved, April 26, 1939.

Sums available;  
usage.

Certain cost provi-  
sions deleted.

50 Stat. 768.  
*Post*, p. 1561.

*Proviso*.  
Limit of cost not to  
be increased.  
50 Stat. 544.

#### [CHAPTER 90]

##### AN ACT

To provide for the establishment of a Coast Guard station on the east coast of the Keweenaw Peninsula, Michigan.

April 26, 1939  
[H. R. 899]

[Public, No. 46]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Treasury be, and he is hereby, authorized to establish a Coast Guard station on the east coast of the Keweenaw Peninsula, Michigan, at such point as the Commandant of the Coast Guard may recommend.

Approved, April 26, 1939.

Keweenaw Penin-  
sula, Mich.  
Establishment of  
Coast Guard station  
on east coast.

#### [CHAPTER 91]

##### AN ACT

Granting the consent of Congress to the city of Youngstown, Ohio, to construct, maintain, and operate a free highway bridge across the Mahoning River at or near Marshall Street, Youngstown, Ohio.

April 26, 1939  
[H. R. 1661]

[Public, No. 47]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the consent of Congress is hereby granted to the city of Youngstown, Ohio, to construct, maintain, and operate a free highway bridge, and approaches thereto, across the Mahoning River, at a point suitable to the interests of navigation, at or near Marshall Street, Youngstown, Mahoning County, Ohio, in accordance with the provisions of an Act entitled “An Act to regulate the construction of bridges and other structures over navigable waters”, approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, April 26, 1939.

Mahoning River.  
Bridge authorized  
across, at Youngs-  
town, Ohio.

34 Stat. 84.  
33 U. S. C. §§ 491-  
498.

Amendment.

## [CHAPTER 92]

## AN ACT

April 26, 1939  
[H. R. 1776]  
[Public, No. 48]

To provide for the assignment of medical officers of the Public Health Service for duty on vessels of the Coast and Geodetic Survey, and for other purposes.

Coast and Geodetic Survey.  
Assignment of medical officers of Public Health Service on vessels of.

Expenses reimbursable.

Medical, etc., treatment and hospitalization of personnel, including dependents.

Use of collections for hospitalization of dependents.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That upon the request of the Secretary of Commerce, the Secretary of the Treasury may detail medical officers of the United States Public Health Service for duty on vessels of the United States Coast and Geodetic Survey and when so detailed the pay, allowances, and traveling expenses of these officers shall be reimbursed to applicable Public Health Service appropriations.

SEC. 2. Under such regulations as may be prescribed by the President, upon the recommendation of the Surgeon General with the approval of the Secretary of the Treasury and the Secretary of Commerce, all commissioned officers, ships' officers and members of the crews of the vessels of the United States Coast and Geodetic Survey, including those on shore duty and those on detached duty, whether on active duty or retired, and all dependent members of families of such personnel shall be entitled to medical, surgical, and dental treatment and hospitalization by the United States Public Health Service in the same manner and to the same extent as are now or may hereafter be provided by law and regulations for officers and enlisted men of the United States Coast Guard and their dependents. Collections of the Public Health Service for the hospitalization of such dependent members of families shall be credited to the applicable appropriation for the operation of marine hospitals and relief stations.

Approved, April 26, 1939.

## [CHAPTER 93]

## AN ACT

April 26, 1939  
[H. R. 1962]  
[Public, No. 49]

Granting the consent of Congress to the city of Youngstown, Ohio, to construct, maintain, and operate a free highway bridge across the Mahoning River at or near Cedar Street, Youngstown, Ohio.

Mahoning River.  
Bridge authorized across, at Youngstown, Ohio.

34 Stat. 84.  
33 U. S. C. §§ 491-498.  
Amendment.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to the city of Youngstown, Ohio, to construct, maintain, and operate a free highway bridge, and approaches thereto, across the Mahoning River, at a point suitable to the interests of navigation, at or near Cedar Street, Youngstown, Mahoning County, Ohio, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges and other structures over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, April 26, 1939.

## [CHAPTER 94]

## AN ACT

Granting the consent of Congress to Westmoreland County in the State of Pennsylvania to construct, maintain, and operate a free highway intercounty bridge and approaches across the Allegheny River, connecting Valley Camp in Westmoreland County and East Deer Township in Allegheny County, to connect State Highway Routes Numbered 28 and 56.

April 26, 1939  
[H. R. 2635]  
[Public, No. 50]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to Westmoreland County in the State of Pennsylvania to construct, maintain, and operate a free highway bridge and approaches thereto across the Allegheny River, at a point suitable to the interests of navigation, connecting Valley Camp in Westmoreland County and East Deer Township in Allegheny County, to connect State Highway Routes Numbered 28, which runs from East Pittsburgh to Tarentum, East Deer Township, Allegheny County, and Numbered 56 (Freeport Road), Lower Burrell Township, Westmoreland County, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Allegheny River.  
Bridge authorized  
across, between West-  
moreland and Alle-  
gheny Counties, Pa.  
Location.

34 Stat. 84.  
33 U. S. C. §§ 491-  
498.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, April 26, 1939.

## [CHAPTER 95]

## AN ACT

To extend the times for commencing and completing the construction of a bridge across the Saint Lawrence River at or near Ogdensburg, New York.

April 26, 1939  
[H. R. 2661]  
[Public, No. 51]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of a bridge across the Saint Lawrence River at or near Ogdensburg, New York, authorized to be built by the Saint Lawrence Bridge Commission and its successors and assigns, by an Act of Congress approved June 14, 1933, and heretofore extended by Acts of Congress approved June 8, 1934, May 28, 1935, April 11, 1936, and August 12, 1937, are hereby further extended one and three years, respectively, from the date of approval of this Act.

Saint Lawrence  
River.  
Time extended for  
bridging, at Ogdens-  
burg, N. Y.

48 Stat. 141, 927; 49  
Stat. 301, 1202; 50 Stat.  
631.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, April 26, 1939.

## [CHAPTER 96]

## AN ACT

Authorizing the Department of Highways of the State of Ohio to construct, maintain, and operate a free highway bridge across the Ottawa River at or near the city of Toledo, State of Ohio.

April 26, 1939  
[H. R. 3225]  
[Public, No. 52]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the Department of Highways of the State of Ohio be, and is hereby, authorized to construct, maintain, and operate a free highway bridge and approaches thereto across the Ottawa River, at a point suitable to the interests of navigation, at or near the city of Toledo, in accordance with the provi-

Ottawa River.  
Bridge authorized  
across, near Toledo,  
Ohio.

34 Stat. 84.  
33 U. S. C. §§ 491-  
493.  
Right to acquire real  
estate, etc.

sions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

SEC. 2. There is hereby conferred upon the Department of Highways of the State of Ohio all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Amendment.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, April 26, 1939.

#### [CHAPTER 97]

#### AN ACT

To provide for the completion of the Navy and Marine Memorial.

April 26, 1939  
[H. R. 3234]  
[Public, No. 53]

Navy and Marine  
Memorial.  
Appropriation au-  
thorized for comple-  
tion of.  
Designated expendi-  
tures.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$100,000, said sum to be expended as follows: Not to exceed \$5,000 for architectural fees and full satisfaction of all obligations in connection with the original contract between the Navy and Marine Memorial Association and the architect, and not more than \$44,384 for the design, professional services, disbursements, materials, and in full satisfaction of all obligations in connection with the original contract between the Navy and Marine Memorial Association and the sculptor, and the remainder, or so much thereof as may be necessary, to be expended under the direction of the National Park Service for the completion of the Navy and Marine Memorial, in accordance with the official plans therefor as approved by the Fine Arts Commission, except that the contract proposal shall not exclude any suitable green granite or stone appropriate for that use. The National Park Service is authorized to modify the structural details if necessary, without deviating from the design.

Use of green granite,  
etc.  
Modification of  
structural details.

Time limitation.

SEC. 2. All contracts shall be on condition that the work shall be completed within one year from the passage of the Act.

Drives, parking  
space, and landscap-  
ing.

SEC. 3. The National Park Service is further authorized and directed to provide adequate drives, parking space, and landscaping to provide for the enjoyment of this memorial by its visitors.

Approved, April 26, 1939.

#### [CHAPTER 98]

#### AN ACT

Granting the consent of Congress to the Highway Department of Davidson County, of the State of Tennessee, to construct a bridge across Cumberland River, at a point approximately one and three-fourths miles below Clees Ferry, connecting a belt-line highway in Davidson County, State of Tennessee, known as the Old Hickory Boulevard.

April 26, 1939  
[H. R. 3418]  
[Public, No. 54]

Cumberland River.  
Bridge authorized  
across, near Clees  
Ferry, Tenn.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to the Highway Department of Davidson County, of the State of Tennessee, and its successors and assigns, to construct, maintain, and operate a bridge and approaches thereto

across the Cumberland River at a point suitable to the interests of navigation, at a point approximately one and three-fourths miles below Clees Ferry, connecting a belt-line highway in Davidson County, State of Tennessee, known as the Old Hickory Boulevard, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, April 26, 1939.

Location.

34 Stat. 84.  
33 U. S. C. §§ 491-498.

Amendment.

#### [CHAPTER 99]

##### AN ACT

Granting the consent of Congress to the State Highway Commission of North Carolina to construct, maintain, and operate a free highway bridge across Waccamaw River between Old Dock and Ash, North Carolina.

April 26, 1939  
[H. R. 3589]

[Public, No. 55]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State Highway Commission of North Carolina to construct, maintain, and operate a free highway bridge and approaches thereto across Waccamaw River, at a point suitable to the interests of navigation, between Old Dock and Ash, in the counties of Columbus and Brunswick, State of North Carolina, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.*

Waccamaw River.  
Bridge authorized  
across, between Old  
Dock and Ash, N. C.

34 Stat. 84.  
33 U. S. C. §§ 491-498.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, April 26, 1939.

#### [CHAPTER 100]

##### AN ACT

Granting the consent of Congress to the State of Indiana to construct, maintain, and operate a free highway bridge across the Wabash River at or near Peru, Indiana.

April 26, 1939  
[H. R. 4243]

[Public, No. 56]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the State of Indiana to construct, maintain, and operate a free highway bridge and approaches thereto across the Wabash River, at a point suitable to the interests of navigation, at or near Peru, Indiana, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.*

Wabash River.  
Bridge authorized  
across, near Peru, Ind.

34 Stat. 84.  
33 U. S. C. §§ 491-498.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, April 26, 1939.

#### [CHAPTER 101]

##### AN ACT

Granting the consent of Congress to the city of Warren, Ohio, to construct, maintain, and operate a free footbridge over Mahoning River, near Stiles Street Northwest, Warren, Ohio.

April 26, 1939  
[H. R. 4432]

[Public, No. 57]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby granted to the city of Warren, Ohio, to construct, maintain, and operate a free footbridge, and approaches thereto, across the Mahoning River, at a point suitable to the interests*

Mahoning River.  
Footbridge author-  
ized across, at Warren,  
Ohio.



34 Stat. 84.  
33 U. S. C. §§ 491-498.

Amendment.

of navigation, at or near Stiles Street Northwest, Warren, Trumbull County, Ohio, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges and other structures over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, April 26, 1939.

#### [CHAPTER 102]

#### AN ACT

April 26, 1939  
[H. R. 4527]  
[Public, No. 58]

To extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Rock Island, Illinois, to a place at or near the city of Davenport, Iowa.

Mississippi River.  
Time extended for  
bridging, Rock Island,  
Ill., to Davenport,  
Iowa.

52 Stat. 110.

Amendment.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of a bridge across the Mississippi River at or near Rock Island, Illinois, to a place at or near the city of Davenport, Iowa, authorized to be built by the city of Rock Island, Illinois, or its assigns, by an Act of Congress approved March 18, 1938, are hereby extended one and three years, respectively, from the date of the approval of this Act.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, April 26, 1939.

#### [CHAPTER 103]

#### AN ACT

April 26, 1939  
[H. R. 4830]  
[Public, No. 59]

To amend the Act approved April 27, 1937, entitled "An Act to simplify accounting."

Simplification of ac-  
counting.  
50 Stat. 119.  
31 U. S. C., Supp.  
IV, § 668a.  
Payments for me-  
tered services.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act approved April 27, 1937 (Public, Numbered 57), is amended to read as follows:

"Hereafter, in making payments for commodities or services the quantity of which is determined by metered readings, such as gas, electricity, water, steam, and the like, and for telephone services, where the period covered by the charge begins in one fiscal year or allotment period and ends in another, the entire amount of the payment may be regarded as a charge against the appropriation or allotment current at the end of such period."

Approved, April 26, 1939.

#### [CHAPTER 104]

#### JOINT RESOLUTION

April 26, 1939  
[S. J. Res. 90]  
[Pub. Res., No. 12]

To amend the joint resolution approved June 16, 1938, entitled "Joint resolution to create a Temporary National Economic Committee."

Temporary Nation-  
al Economic Commit-  
tee, authorized appro-  
priation increased.

52 Stat. 706.

Post, pp. 629, 984.

Allotments of cer-  
tain funds increased.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That subsection (a) of section 6 of the joint resolution entitled "Joint resolution to create a Temporary National Economic Committee", approved June 16, 1938, is amended by striking out "\$500,000" and inserting in lieu thereof "\$1,100,000".

SEC. 2. Subsection (b) of such section is amended by striking out "\$100,000" and inserting in lieu thereof "\$220,000"; and by striking out "\$400,000" and inserting in lieu thereof "\$880,000".

Approved, April 26, 1939.

## [CHAPTER 106]

## AN ACT

Relating to the importation of distilled spirits for consumption at the New York World's Fair, 1939, and the Golden Gate International Exposition of 1939, and to duties on certain articles to be exhibited at the New York World's Fair, 1939.

April 29, 1939  
[H. R. 5287]  
[Public, No. 60]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Federal Alcohol Administration Act, as amended, shall not apply to the importation, for the account of a foreign government, of distilled spirits, wine, or malt beverages produced in its own country, for on-premises consumption in the national pavilion restaurant of such foreign government at the New York World's Fair, 1939, or at the Golden Gate International Exposition of 1939; nor shall regulations 13 under the provisions of section 2871 of the Internal Revenue Code apply to such importation, if such distilled spirits, wine, or malt beverages are entered for customs purposes in the name of the duly authorized representative of the national pavilion restaurant of the foreign government responsible for the importation: *Provided*, That the individual containers of all such distilled spirits, wine, or malt beverages shall, prior to release from customs custody, have firmly affixed thereto a label stating the country of origin of such beverages, and bearing a statement to the effect that the same have been imported solely for consumption at the New York World's Fair, 1939, or the Golden Gate International Exposition of 1939, as the case may be: *Provided further*, That the removal from the premises of any national pavilion restaurant of any distilled spirits, wine, or malt beverages imported under the provisions of this Act for on-premises consumption in such national pavilion is forbidden otherwise than for destruction or exportation under customs supervision, and in the event any of the distilled spirits, wine, or malt beverages so imported are not consumed upon the premises of the national pavilion restaurant and are removed from such premises for consumption or for sale or other commercial purposes in the United States, such distilled spirits, wine, and malt beverages so removed shall be seized and forfeited. All distilled spirits, wine, and malt beverages removed in violation of this proviso, the containers thereof, and every vehicle or vessel used in the transportation thereof, shall be seized and forfeited. Such seizure and forfeiture, and the disposition of such property subsequent to seizure and forfeiture, or the disposition of the proceeds from the sale of such property, shall be in accordance with existing laws or those hereafter in existence relating to seizures, forfeitures, and dispositions of property or proceeds, for violation of the internal-revenue laws: *And provided further*, That nothing in this section shall authorize the importation of distilled spirits in containers of larger than one gallon capacity.

SEC. 2. The joint resolution entitled "Joint resolution to permit articles imported from foreign countries for the purpose of exhibition at the New York World's Fair, 1939, New York City, New York, to be admitted without payment of tariff, and for other purposes", approved August 16, 1937 (50 Stat. 668), is amended by adding at the end thereof the following:

"SEC. 2. Notwithstanding the provisions of the last proviso to the foregoing section, the New York World's Fair 1939, Incorporated, shall not be liable for the payment of duty on articles imported under this joint resolution, to be exhibited or used by or for the account of a foreign government, if (a) the New York World's Fair 1939, Incorporated, declares at the time of entry that the articles are to be so exhibited or used; (b) the New York World's Fair 1939, Incorporated, furnishes to the appropriate collector of customs the name

New York World's Fair, 1939, and the Golden Gate International Exposition of 1939.

Importation of distilled spirits for on-premises consumption.

49 Stat. 977.  
27 U. S. C., Supp. IV, ch. 8.  
I. R. C. § 2871.  
*Ante*, p. 331.  
Condition.

*Provisos.*  
Labeling requirements.

Removal restrictions.

Seizure and forfeiture for violation.

Capacity of containers.

New York World's Fair 1939, Inc.

50 Stat. 668.

Release of liability as consignee in certain cases.

and address of the duly authorized commissioner of the foreign government by which or for whose account the articles are to be so exhibited or used; and (c) the New York World's Fair 1939, Incorporated, within thirty days from the date of entry furnishes to the appropriate collector of customs a declaration of such duly authorized commissioner that his government will pay all duties, taxes, and other charges accruing on such articles, under such regulations as the Secretary of the Treasury may prescribe. Such commissioner shall possess all the rights of a consignee. This section shall remain in full force and effect until ninety days after the final termination of the New York World's Fair."

Duration of section.

San Francisco Bay Exposition.

50 Stat. 187.

Release of liability as consignee in certain cases.

Duration of section.

New York World's Fair, 1939.  
Tourist literature for free distribution, free entry.  
Post, p. 1221.

46 Stat. 656,  
19 U. S. C. § 1001,  
par. 1410.

SEC. 3. The joint resolution entitled "Joint resolution providing for the importation of articles free from tariff or other customs duty for the purpose of exhibition at the Golden Gate International Exposition, to be held at San Francisco, California, in 1939, and for other purposes", approved May 18, 1937 (50 Stat. 187), is amended by adding at the end thereof the following:

"SEC. 2. Notwithstanding the provisions of the last proviso to the foregoing section, the San Francisco Bay Exposition shall not be liable for the payment of duty on articles imported under this joint resolution, to be exhibited or used by or for the account of a foreign government, if (a) the San Francisco Bay Exposition declares at the time of entry that the articles are to be so exhibited or used; (b) the San Francisco Bay Exposition furnishes to the appropriate collector of customs the name and address of the duly authorized commissioner of the foreign government by which or for whose account the articles are to be so exhibited or used; and (c) the San Francisco Bay Exposition within thirty days from the date of entry furnishes to the appropriate collector of customs a declaration of such duly authorized commissioner that his government will pay all duties, taxes, and other charges accruing on such articles under such regulations as the Secretary of the Treasury may prescribe. Such commissioner shall possess all the rights of a consignee. This section shall remain in full force and effect until ninety days after the final termination of the Golden Gate International Exposition."

SEC. 4. Tourist literature containing scenic, historical, geographic, time table, travel, hotel, or similar information, chiefly with respect to places or travel facilities outside the continental United States, all the foregoing, if their entry is not prohibited, and if of bona fide foreign authorship and classifiable under paragraph 1410 of the Tariff Act of 1930, shall be admitted without payment of duty if imported for gratuitous distribution within the exhibits of foreign governments at the New York World's Fair, 1939.

Approved, April 29, 1939.

## [CHAPTER 107]

## AN ACT

May 2, 1939  
[H. R. 5219]  
[Public, No. 61]

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1939, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1939, and June 30, 1940, and for other purposes.

Second Deficiency  
Appropriation Act,  
fiscal year 1939.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1939, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1939, and June 30, 1940, and for other purposes, namely:*

## TITLE I—GENERAL APPROPRIATIONS LEGISLATIVE

### SENATE

For payment to Rose Douglas Lewis, widow of Honorable James Hamilton Lewis, late a Senator from the State of Illinois, \$10,000.

For miscellaneous items, exclusive of labor, fiscal year 1939, \$75,000.

The unobligated balance of the appropriation for miscellaneous items, exclusive of labor, contingent fund of the Senate, for the fiscal year 1939, is reappropriated and made available for the fiscal year 1940.

The unobligated balance of the appropriation for expenses of inquiries and investigations ordered by the Senate, contingent fund of the Senate, for the fiscal year 1939, is reappropriated and made available for the fiscal year 1940.

For repairs, improvements, equipment, and supplies for Senate kitchens and restaurants, Capitol Building and Senate Office Building, including personal and other services, to be expended from the contingent fund of the Senate, under supervision of the Committee on Rules, United States Senate, fiscal year 1939, \$15,000.

James Hamilton Lewis.  
Payment to widow.  
Miscellaneous items, fiscal year 1939; unobligated balance continued available.

Inquiries and investigations, unobligated balance continued available.

Senate kitchens and restaurants.

### HOUSE OF REPRESENTATIVES

For payment to the widow of J. Burrwood Daly, late a Representative from the State of Pennsylvania, \$10,000.

Contingent expenses, telegraph and telephone service: For an additional amount for telegraph and telephone service, House of Representatives, fiscal year, 1938, \$11,000.

J. Burrwood Daly.  
Payment to widow.

Telegraph and telephone service.

### ARCHITECT OF THE CAPITOL

#### CAPITOL BUILDING AND GROUNDS

Capitol buildings: For an additional amount for the Capitol Building, including the same objects specified under this head in the Legislative Branch Appropriation Act, 1939, \$14,569.

Capitol buildings.  
52 Stat. 390.

### LIBRARY OF CONGRESS

Acquisition of the Pinckney Papers: For the purpose of acquiring for the Library of Congress by purchase, or otherwise, the whole, or any part, of the papers of Charles Cotesworth Pinckney and Thomas Pinckney, including therewith a group of documents relating to the Constitutional Convention of 1787, now in the possession of Harry Stone, of New York City, as authorized by law, fiscal year 1939, to continue available during the fiscal year 1940, \$37,500.

Acquisition of the Pinckney Papers.

*Ante*, p. 572.

### GOVERNMENT PRINTING OFFICE

#### OFFICE OF SUPERINTENDENT OF DOCUMENTS

General expenses: For an additional amount for the fiscal year 1939, for general expenses, Office of Superintendent of Documents, including the same objects specified under this head in the Legislative Branch Appropriation Act, 1939, \$20,000.

General expenses.

52 Stat. 397.

## INDEPENDENT ESTABLISHMENTS

### BOARD OF TAX APPEALS

Printing and binding, Board of Tax Appeals: For an additional amount for printing and binding for the Board of Tax Appeals, fiscal year 1939, \$12,000.

Printing and binding.

## CIVIL AERONAUTICS AUTHORITY

Civil Aeronautics  
Authority Fund, 1939.  
52 Stat. 982.

Civil Aeronautics Authority Fund, 1939: For carrying out the provisions of the Civil Aeronautics Act of 1938, in addition to the amount provided for that purpose by section 203 (b) of said Act, fiscal year 1939, \$1,186,195, of which \$144,750 shall be available exclusively for the procurement of airplanes for the use of the Air Safety Board.

Airplanes for Air  
Safety Board.

## MARITIME LABOR BOARD

Salaries and ex-  
penses.

Salaries and expenses: For an additional amount for salaries and expenses of the Maritime Labor Board, fiscal year 1939, including the same objects and under the same limitations specified under this head in the Second Deficiency Appropriation Act, fiscal year 1938, \$20,000.

52 Stat. 1117.

## NATIONAL MEDIATION BOARD

National Railroad  
Adjustment Board,  
referees.  
52 Stat. 422.

The limitation of \$35,000 contained in the appropriation "Salaries and Expenses, National Railroad Adjustment Board, National Mediation Board, 1939", available only for the services of referees, is hereby increased to not to exceed \$50,000 and there is hereby transferred to such appropriation from the appropriation "Printing and Binding, National Railroad Adjustment Board, National Mediation Board, 1939", not to exceed \$10,000.

Fund transferred.

## RAILROAD RETIREMENT BOARD

Salaries and ex-  
penses.

Salaries and expenses: For an additional amount for three Board members and for all other authorized and necessary expenditures of the Railroad Retirement Board in performing the duties imposed by law or in pursuance of law, fiscal year 1939, including the same objects and under the same limitations specified under this head in the Independent Offices Appropriation Act, fiscal year 1939, \$325,000.

52 Stat. 423.

## NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

Scientific research,  
etc.

For an additional amount for scientific research, technical investigations, and special reports in the field of aeronautics, fiscal years 1939 and 1940, including the same objects and under the same limitations specified in the Independent Offices Appropriation Act, 1940, \$223,980: *Provided*, That the limitation under this head in said Act upon the amount that may be expended for personal services in the District of Columbia during the fiscal year 1940 is hereby increased to \$150,000.

*Ante*, p. 535.

*Proviso*.  
Personal services.

Langley Field, Va.,  
improvements.

For construction and equipment of additional laboratory buildings and research facilities on the military reservation at Langley Field, Virginia, including connections to public utilities, and rights-of-way for, and installation of, power lines, to be immediately available and to remain available until expended, \$2,140,000.

## EXPORT-IMPORT BANK OF WASHINGTON

Limitation on  
amount for adminis-  
trative expenses in-  
creased.  
52 Stat. 431.

Export-Import Bank of Washington: The limitation of \$50,000 for administrative expenses of the Export-Import Bank of Washington for the fiscal year 1939 contained in the Independent Offices Appropriation Act, 1939, is hereby increased to \$60,000.

## FEDERAL HOUSING ADMINISTRATION

Administrative ex-  
penses.

Salaries and expenses, Federal Housing Administration: In addition to the funds made available to the Federal Housing Administration for administrative expenses by the Independent Offices Appropriation Act, 1939, and Public Resolution Numbered 3 of the Seventy-sixth Congress, approved March 4, 1939, not to exceed

52 Stat. 433.

*Ante*, p. 511.

\$1,600,000 of the mutual mortgage insurance fund and not to exceed \$900,000 of the funds advanced to the Administration by the Reconstruction Finance Corporation are hereby made available for administrative expenses of such Administration for the fiscal year 1939, including the same objects specified under this head in such Act.

## GENERAL ACCOUNTING OFFICE

Salaries and expenses, General Accounting Office: For an additional amount for administrative expenses incident to carrying out the work of the General Accounting Office in connection with duties imposed upon that Office by the Emergency Relief Appropriation Act of 1938, fiscal year 1939, \$150,000.

Salaries and expenses.

52 Stat. 809.

## SECURITIES AND EXCHANGE COMMISSION

Salaries and expenses: For an additional amount for five Commissioners, and other personal services in the District of Columbia, and for all other authorized expenditures of the Securities and Exchange Commission in performing the duties imposed by law or in pursuance of law, including the employment of experts when necessary, fiscal year 1939, including the same objects specified under this head in the Independent Offices Appropriation Act, 1939, \$350,000.

Salaries and expenses.

52 Stat. 424.

Printing and binding: For an additional amount for printing and binding for the Securities and Exchange Commission, fiscal year 1939, \$15,000.

Printing and binding.  
52 Stat. 425.

## COMMODITY CREDIT CORPORATION

The limitation of \$520,288 for administrative expenses of the Commodity Credit Corporation for the fiscal year 1939 contained in the Independent Offices Appropriation Act, 1939, which was increased to \$700,000 in the Second Deficiency Appropriation Act, 1938, is hereby further increased to \$2,200,000.

Administrative expenses.

52 Stat. 430, 1116.

## TEMPORARY NATIONAL ECONOMIC COMMITTEE

For an additional amount for each and every purpose requisite and incident to carrying out the provisions of the joint resolution of the Seventy-fifth Congress entitled "Joint resolution to create a temporary national economic committee", approved June 16, 1938, to be immediately available and to remain available until expended, including rent and personal services in the District of Columbia and elsewhere by contract or otherwise; contract stenographic reporting services; books of reference; traveling expenses; employment of messenger service by contract or otherwise, and all other necessary expenses, \$120,000, of which amount not to exceed \$24,000 shall be available for expenditure by the Temporary National Economic Committee, and not to exceed \$96,000 shall be available for allocation by the President to the departments and agencies represented on the committee to enable them to carry out their functions under the joint resolution: *Provided*, That section 3709 of the Revised Statutes (41 U. S. C. 5) shall not be construed to apply to any purchase or service rendered hereunder when the aggregate amount involved does not exceed the sum of \$100: *Provided further*, That the committee shall file reports as required by the said resolution prior to March 1, 1940.

Expenses.  
*Ante*, p. 624; *post*, p. 984.

52 Stat. 705.

Allocations to departments and agencies.

*Provisos*.  
Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.

Filing reports, time limitation.

## RUSHMORE NATIONAL MEMORIAL COMMISSION

Appropriations for the Mount Rushmore National Memorial Commission shall be available for the purchase of one automobile station wagon at a cost not to exceed nine hundred dollars (\$900) and for the operation and maintenance of same.

Automobile station wagon.

## SOCIAL SECURITY BOARD

Grants to States for unemployment compensation administration.

49 Stat. 626.  
42 U. S. C., Supp. IV, § 501.

Grants to States for unemployment compensation administration: For an additional amount for grants to States, fiscal year 1939, for unemployment compensation administration, as authorized in Title III of the Social Security Act, approved August 14, 1935, as amended, including rentals in the District of Columbia and elsewhere, \$10,000,000.

## DISTRICT OF COLUMBIA

Commission on Mental Health.

Commission on Mental Health, District of Columbia: For an additional amount for compensation of members of the Commission on Mental Health of the District of Columbia, and other personal services, including payment of witness fees and mileage, fiscal year 1939, \$9,820.

District Buildings, salaries.

District Buildings, salaries, District of Columbia: For an additional amount for personal services, including the same objects and under the same limitations and conditions applicable to the appropriation for this purpose in the District of Columbia Appropriation Act, fiscal year 1939, \$5,066.

52 Stat. 158.

Expenses.

District Buildings, expenses, District of Columbia: For an additional amount for fuel, light and power, repairs, laundry, and miscellaneous supplies, fiscal year 1939, \$1,630.

Minimum Wage Board.

Minimum Wage Board, salaries, District of Columbia: For an additional amount for personal services, fiscal year 1939, \$1,200.

Public schools, administrative and supervisory officers.

Public schools, salaries: For an additional amount for personal services of administrative and supervisory officers in accordance with the Act fixing and regulating the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia, approved June 4, 1924 (43 Stat. 367-375), including salaries of presidents of teachers colleges in the salary schedule for first assistant superintendents, fiscal year 1939, \$10,000.

43 Stat. 367.

Clerks and other employees.

Public schools, salaries, District of Columbia: For an additional amount for personal services of clerks and other employees, fiscal year 1939, \$1,370.

Maintenance expenses.

Public schools, expenses: For an additional amount for fuel, gas, and electric light and power, under the same conditions and limitations applicable to the appropriation for this purpose in the District of Columbia Appropriation Act, fiscal year 1939, \$3,000.

52 Stat. 168.

Tuberculosis sanatoria.

Tuberculosis sanatoria: For an additional amount for provisions, fuel, forage, including the same objects and under the same limitations and conditions applicable to the appropriation for this purpose in the District of Columbia Appropriation Act, fiscal year 1939, \$15,000.

52 Stat. 175.

Fees of jurors and witnesses.

Fees of jurors and witnesses: For an additional amount for fees of jurors and witnesses, District Court of the United States for the District of Columbia, including the same objects specified under this head in the District of Columbia Appropriation Act, fiscal year 1938, \$11,812.95.

50 Stat. 378.

Writs of lunacy.

Writs of lunacy: For an additional amount for writs of lunacy, including the same objects specified under this head in the District of Columbia Appropriation Act, fiscal year 1938, \$190.

50 Stat. 379.

Judgments.

Judgments: For the payment of final judgments, including costs, rendered against the District of Columbia, as set forth in House Document Numbered 77, Seventy-sixth Congress, \$29,318.57, together with the further sum to pay the interest at not exceeding 4 per centum per annum on such judgments, as provided by law, from the date the same became due until the date of payment.

Interest.

**Judgments, highway fund:** For the payment of final judgments, including costs, rendered against the District of Columbia, as set forth in House Document Numbered 77, Seventy-sixth Congress, \$4,520.14, together with the further sum to pay the interest at not exceeding 4 per centum per annum on such judgments, as provided by law, from the date the same became due until the date of payment, payable from the special fund created by section 1 of the Act entitled "An Act to provide for a tax on motor vehicle fuels sold within the District of Columbia, and for other purposes", approved April 23, 1924 (43 Stat. 106), as amended, and accretions by repayment of assessments.

Shell Eastern Petroleum Products, Inc., and Texas Company, judgments.

Payment from special highway fund.

43 Stat. 106; 50 Stat. 676.

**Department of Vehicles and Traffic, inspection of motor vehicles, highway fund, District of Columbia:** For an additional amount for carrying out the provisions of the Act entitled "An Act to provide for the annual inspection of all motor vehicles in the District of Columbia", approved February 18, 1938, including the same objects and under the same conditions and limitations applicable to the appropriation for this purpose in the Second Deficiency Appropriation Act, fiscal year 1938, approved June 25, 1938, \$22,330.

Inspection of motor vehicles, highway fund.

52 Stat. 78.

52 Stat. 1124.

Division of expenses.

**Division of expenses:** The foregoing sums for the District of Columbia, unless otherwise therein specifically provided, shall be paid out of the revenues of the District of Columbia and the Treasury of the United States in the manner prescribed by the District of Columbia Appropriation Acts for the respective fiscal years for which such sums are provided.

## DEPARTMENT OF AGRICULTURE

### FOREST SERVICE

**Fighting forest fires:** For an additional amount for fighting and preventing forest fires, including the same purposes and objects specified under this head in the Agricultural Appropriation Act for the fiscal year 1939, \$2,480,000.

Fighting forest fires.

52 Stat. 727.

The appropriation under the Forest Service, Department of Agriculture, for New England hurricane damage, contained in the First Deficiency Appropriation Act, fiscal year 1939, is hereby amended by including with the States named therein the State of New York: *Provided*, That the Federal Government shall not expend of such appropriation in such State an amount in excess of \$60,000.

New England hurricane damage.  
*Ante*, p. 513.  
State of New York included.

*Proviso.*  
Limitation.

### BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

**Dutch elm disease eradication:** For an additional amount for Dutch elm disease eradication, including the same objects and conditions specified under this heading in the Agricultural Appropriation Act for the fiscal year 1939, \$100,000.

Dutch elm disease eradication.

52 Stat. 732.

### FOOD AND DRUG ADMINISTRATION

**Enforcement of the Federal Food, Drug, and Cosmetic Act:** For an additional amount to enable the Secretary of Agriculture to carry into effect the provisions of the Act of June 25, 1938 (52 Stat. 1040), including the employment of persons and means in the District of Columbia and elsewhere, fiscal year 1939, \$15,000, which shall be available immediately for listing and certification of coal-tar colors in accordance with section 706 of such Act, which section is hereby made immediately effective; and the current appropriation for the

Federal Food, Drug, and Cosmetic Act, enforcement.

52 Stat. 1040.  
21 U. S. C., Supp. IV, ch. 9.

Listing and certification of coal-tar colors; availability of funds.



34 Stat. 768.

enforcement of the Food and Drugs Act of June 30, 1906, as amended, is hereby made available to carry out the provisions of such Act of June 25, 1938, for such periods as they are effective during the fiscal year 1939.

## THE SUGAR ACT OF 1937

Administrative ex-  
penses.

50 Stat. 903.  
7 U. S. C., Supp. IV,  
§§ 1100-1183.

52 Stat. 747.

52 Stat. 27.

Administration of the Sugar Act of 1937: For an additional amount to enable the Secretary of Agriculture to carry into effect the provisions, other than those specifically relating to the Philippine Islands, of the Sugar Act of 1937, approved September 1, 1937 (7 U. S. C. 1100-1183), fiscal year 1939, including the same objects specified under this head in the Department of Agriculture Appropriation Act, 1939, \$5,000,000, together with \$1,500,000 of the unobligated balance of the appropriation provided under this head by the joint resolution approved February 4, 1938 (52 Stat. 27); in all, not to exceed \$6,500,000.

## INTERNATIONAL PRODUCTION CONTROL COMMITTEES

Limitation in  
amount increased.

52 Stat. 747.

50 Stat. 903.  
7 U. S. C., Supp. IV,  
§§ 1100-1183.

The limitation in the amount which the Secretary of Agriculture may expend for the objects specified under this heading in the Department of Agriculture Appropriation Act, 1939, is hereby increased from \$17,500 to \$25,500, such additional amount to be payable from the appropriation for the fiscal year 1939 for carrying into effect the Sugar Act of 1937.

## DEPARTMENT OF COMMERCE

## BUREAU OF MARINE INSPECTION AND NAVIGATION

Extra compensation  
for overtime services,  
local inspectors, cus-  
toms officers, etc.

52 Stat. 275.

52 Stat. 345.

Salaries and general expenses: The amount of \$50,000, available only for the payment of extra compensation for overtime services of local inspectors of steam vessels and their assistants and United States shipping commissioners and their deputies and assistants, contained under the heading "Bureau of Marine Inspection and Navigation, salaries and general expenses", in the Department of Commerce Appropriation Act, 1939, is hereby made available also for the payment of extra compensation for overtime services of customs officers and employees, for which the United States receives reimbursement, in accordance with the provisions of the Act of May 11, 1938 (52 Stat. 275-276, 345).

## NATIONAL BUREAU OF STANDARDS

Salaries and expen-  
ses.

52 Stat. 276.

Salaries and expenses: For an additional amount for the general operation and administration of the Bureau, fiscal year 1939, including the same objects specified under this head in the Department of Commerce Appropriation Act, 1939, \$3,000.

## BUREAU OF LIGHTHOUSES

Transportation of  
effects of employees;  
limitation increased.

52 Stat. 278.

Aids to navigation,  
special projects.

52 Stat. 279.

General expenses: The limitation of \$3,500 for packing, crating, and transporting personal household effects of employees, not exceeding six thousand pounds in any one case, when transferred from one official station to another for permanent duty, contained under the heading "Bureau of Lighthouses, general expenses", in the Department of Commerce Appropriation Act, 1939, is hereby increased to \$5,000.

Special projects aids to navigation: For an additional amount for establishing and improving aids to navigation and other works, fiscal year 1939, to be expended in accordance with the provisions appearing under the heading "Special projects, vessels, and aids to navigation", contained in the Department of Commerce Appropriation Act, 1939, \$837,000, to continue available until expended.

## PATENT OFFICE

Salaries: For an additional amount for salaries for the Commissioner of Patents and other personal services in the District of Columbia, fiscal year 1939, \$145,000.

Salaries.

## DEPARTMENT OF THE INTERIOR

## NATIONAL BITUMINOUS COAL COMMISSION

The paragraph in the Second Deficiency Appropriation Act, fiscal year 1938, under the caption "National Bituminous Coal Commission" is hereby amended by striking out the following proviso: "*Provided*, That expenditures during the fiscal year 1939 under this head and under the head 'Salaries and expenses, Office of the Consumers' Counsel, National Bituminous Coal Commission,' shall not exceed an amount equal to the aggregate receipts covered into the Treasury under the provisions of section 3 of the Bituminous Coal Act of 1937."

Certain limitations on expenditures removed.  
52 Stat. 1128.

## NATIONAL PARK SERVICE

Salaries and general expenses, public buildings and grounds in the District of Columbia: For an additional amount for administration, protection, and maintenance of public buildings and grounds in the District of Columbia, under the jurisdiction of the National Park Service, including the same objects specified under this head in the Interior Department Appropriation Act, 1939, fiscal year 1939, \$375,000.

Public buildings and grounds, D. C.  
Salaries and general expenses.

52 Stat. 335.

## BUREAU OF INDIAN AFFAIRS

Maintenance, San Carlos irrigation project, Gila River Reservation, Arizona: For an additional amount for the operation and maintenance (including excess water charges for the calendar year 1937) of the San Carlos project for the irrigation of lands in the Gila River Indian Reservation, Arizona, \$75,000, reimbursable, together with \$67,975 (power revenues), from which latter amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, \$142,975.

Gila River Reservation, Ariz., maintenance of San Carlos irrigation project.

48 Stat. 1227.  
31 U. S. C. § 725c.

Irrigation systems on Indian reservations: For an additional amount for the construction, repair, and rehabilitation of irrigation systems on Indian reservations, including the same objects and limitations specified under this head in the Interior Department Appropriation Act, 1939, to remain available until June 30, 1940, as follows:

Irrigation systems on Indian reservations.

52 Stat. 307.

Arizona: Colorado River, \$1,000,000, reimbursable.

Colorado River, Ariz.

## BUREAU OF RECLAMATION, GENERAL FUND, CONSTRUCTION

Parker Dam power project, Arizona: For continuation of construction of the Parker power plant, transmission lines, substations, and appurtenant works, fiscal years 1939 and 1940, \$4,000,000, from the general fund of the Treasury, to be repaid from net revenues received under contracts made pursuant to the authority of the Act of August 30, 1935 (49 Stat. 1039).

Parker Dam power project, Ariz.

49 Stat. 1039.

## OFFICE OF EDUCATION

Further development of vocational education: For an additional amount for carrying out the provisions of sections 1, 2, and 3 of the Act entitled "An Act to provide for the further development of vocational education in the several States and Territories", approved June 8, 1936 (49 Stat. 1488-1490), fiscal year 1939, \$52,068.

Further development of vocational education.

49 Stat. 1488.  
20 U. S. C., Supp. IV, §§ 15h-j.

## GOVERNMENT IN THE TERRITORIES

Alaska.  
Alaska Railroad.

Territory of Alaska, the Alaska Railroad: For an additional amount to be available from the general fund of the Treasury for every expenditure requisite for and incident to the authorized work of the Alaska Railroad, including the same purposes and the same objects specified under this head in the Interior Department Appropriation Act, 1939, including \$1,000 additional for printing and binding, and including \$45,000 for replacement of a warehouse destroyed by fire, \$200,000, to continue available until expended.

52 Stat. 339.  
Printing and binding.  
Warehouse.

Care of insane.

Insane of Alaska: For an additional amount for the care and custody of persons legally adjudged insane in Alaska, including the same objects and for the same services specified in the Interior Department Appropriation Act, 1938, fiscal year 1938, \$759.50.

50 Stat. 612.  
Puerto Rico Reconstruction Administration.  
Post, p. 930.  
52 Stat. 810.

Puerto Rico Reconstruction Administration: For relief and work relief in Puerto Rico, fiscal year 1939, including the same objects and for the same purposes specified in section 1 (4) of the Emergency Relief Appropriation Act of 1938, \$1,000,000, which amount shall be added to and become a part of the appropriation contained in section 1 (4) of said Act.

Division of Territories and Island Possessions, expenses.  
Post, pp. 986, 1321.

Expenses, Division of Territories and Island Possessions: For expenses of the Division of Territories and Island Possessions in the administration and development of possessions of the United States, including salaries in the District of Columbia and elsewhere (such employment to be by contract, if deemed necessary, without regard to the provisions of section 3709 of the Revised Statutes), rent, traveling expenses, purchase of necessary books, documents, newspapers and periodicals, stationery, hire of automobiles, purchase of equipment, supplies, and provisions, and all other necessary expenses, fiscal year 1939, to remain available until June 30, 1940, \$10,000.

R. S. § 3709.  
41 U. S. C. § 5.

Saint Croix, defraying of deficit.

Government of the Virgin Islands: For an additional amount for defraying the deficit in the treasury of the municipal government of Saint Croix because of the excess of current expenses over current revenues for the fiscal year 1939, \$45,000.

## SAINT ELIZABETHS HOSPITAL

Continuous-treatment buildings.

Continuous-treatment buildings: For an additional amount for completion of construction and equipment of two continuous-treatment buildings, including preparation of plans and specifications, advertising, and supervision, fiscal year 1939, to remain available until June 30, 1940, \$70,000.

## DEPARTMENT OF JUSTICE

## CONTINGENT EXPENSES

Contingent expenses.

Contingent expenses: For an additional amount for contingent expenses, Department of Justice, fiscal year 1939, including the same objects specified under this head in the Department of Justice Appropriation Act, 1939, \$21,000.

52 Stat. 259.  
Printing and binding.

Printing and binding: For an additional amount for printing and binding for the Department of Justice and the courts of the United States, fiscal year 1939, \$30,000.

## FEDERAL BUREAU OF INVESTIGATION

Salaries and expenses.

Salaries and expenses: For an additional amount for salaries and expenses, Federal Bureau of Investigation, fiscal year 1939, including the same objects specified under this head in the Department of Justice Appropriation Act, 1939, \$450,000.

52 Stat. 259.

Claims for damages: For the payment of claims for damages to any person or damages to or loss of privately owned property caused by employees of the Federal Bureau of Investigation, acting within the scope of their employment, considered, adjusted, and determined by the Attorney General, under the provisions of the Act entitled "An Act to provide for the adjustment and settlement of certain claims arising out of the activities of the Federal Bureau of Investigation", approved March 20, 1936 (49 Stat. 1184), as fully set forth in House Document Numbered 198, Seventy-sixth Congress, \$16.

Construction of target range: For an additional amount for construction of target range, fiscal year 1939, to remain available until June 30, 1940, including the same objects specified under this head in the Second Deficiency Appropriation Act, fiscal year 1938, \$100,000.

Claims for damages.

49 Stat. 1184.  
5 U. S. C., Supp. IV,  
§ 300b.

Quantico, Va., tar-  
get range.

52 Stat. 1137.

#### PENAL AND CORRECTIONAL INSTITUTIONS

United States Penitentiary, Leavenworth, Kansas: For an additional amount for the United States Penitentiary at Leavenworth, Kansas, fiscal year 1939, including the same objects specified under this head in the Department of Justice Appropriation Act, 1939, \$39,000, of which amount not to exceed \$2,790 may be expended for salaries and wages of officers and employees.

Leavenworth, Kans.

52 Stat. 262.

United States Penitentiary Annex, Leavenworth, Kansas: For an additional amount for the United States Penitentiary Annex at Leavenworth, Kansas, fiscal year 1939, including the same objects specified under this head in the Department of Justice Appropriation Act, 1939, \$50,000, of which amount not to exceed \$2,325 may be expended for salaries and wages of officers and employees.

52 Stat. 262.

United States Penitentiary, Atlanta, Georgia: For an additional amount for the United States Penitentiary at Atlanta, Georgia, fiscal year 1939, including the same objects specified under this head in the Department of Justice Appropriation Act, 1939, \$80,000, of which amount not to exceed \$3,225 may be expended for salaries and wages of officers and employees.

Atlanta, Ga.

52 Stat. 262.

United States Northeastern Penitentiary: For an additional amount for the United States penitentiary in the Northeast, fiscal year 1939, including the same objects specified under this head in the Department of Justice Appropriation Act, 1939, \$80,000, of which amount not to exceed \$9,300 may be expended for salaries and wages of officers and employees.

Northeastern Peni-  
tentiary.

52 Stat. 262.

Federal Industrial Institution for Women, Alderson, West Virginia: For an additional amount for the Federal Industrial Institution for Women, at Alderson, West Virginia, fiscal year 1939, including the same objects specified under this head in the Department of Justice Appropriation Act, 1939, \$30,000.

Federal Industrial  
Institution for  
Women, Alderson,  
W. Va.  
52 Stat. 262.

United States Southwestern Reformatory: For an additional amount for the United States Southwestern Reformatory, fiscal year 1939, including the same objects specified under this head in the Department of Justice Appropriation Act, 1939, \$65,000, of which amount not to exceed \$10,230 may be expended for salaries and wages of officers and employees.

Southwestern Re-  
formatory.

52 Stat. 262.

United States Hospital for Defective Delinquents: For an additional amount for the United States Hospital for Defective Delinquents, fiscal year 1939, including the same objects specified under this head in the Department of Justice Appropriation Act, 1939, \$20,000, of which amount not to exceed \$1,530 may be expended for salaries and wages of officers and employees.

United States Hos-  
pital for Defective De-  
linquents.

52 Stat. 263.

Federal Reformatory Camp, Petersburg, Virginia: For an additional amount for the Federal Reformatory Camp at Petersburg, Virginia, fiscal year 1939, including the same objects specified under

Federal Reform-  
atory Camp, Peters-  
burg, Va.

52 Stat. 263.

this head in the Department of Justice Appropriation Act, 1939, \$35,000, of which amount not to exceed \$5,115 may be expended for salaries and wages of officers and employees.

Support of prisoners in non-Federal institutions and in Alaska.

Support of United States prisoners in non-Federal institutions and in Alaska: For an additional amount for support of United States prisoners, fiscal year 1939, including the same objects specified under this head in the Department of Justice Appropriation Act, 1939, \$280,000.

52 Stat. 264.

## JUDICIAL

### TERRITORIAL COURTS

Hawaii.

Salaries: For an additional amount for salaries, justices and judges, Territory of Hawaii, fiscal year 1939, including the same objects specified under this head in the Department of Justice Appropriation Act, 1939, and including salaries of judges retired under the Act of May 31, 1938, \$7,500.

52 Stat. 266.

52 Stat. 591.

48 U. S. C., Supp. IV, §§ 634 b, c.

### SALARIES OF JUDGES

Salaries.

For an additional amount for salaries of circuits, district, and retired judges, fiscal year 1939, including the same objects specified under this head in the Department of Justice Appropriation Act, 1939, \$100,000.

52 Stat. 267.

### MARSHALS, AND OTHER EXPENSES OF UNITED STATES COURTS

Jurors and witnesses.

Fees of jurors and witnesses: For an additional amount for fees of jurors and witnesses, United States courts, fiscal year 1938, including the same objects specified under this head in the Department of Justice Appropriation Act, 1938, \$46,500.

50 Stat. 278.

Bailiffs, etc.

Salaries and expenses of bailiffs, and so forth: For an additional amount for pay of bailiffs, and so forth, United States courts, fiscal year 1939, including the same objects specified under this head in the Department of Justice Appropriation Act, 1939, \$37,000.

52 Stat. 268.

Miscellaneous salaries.

Miscellaneous salaries: For an additional amount for miscellaneous salaries, United States courts, fiscal year 1939, including the same objects specified under this head in the Department of Justice Appropriation Act, 1939, \$30,000.

52 Stat. 268.

Miscellaneous expenses.

Miscellaneous expenses (other than salaries): For an additional amount for miscellaneous expenses, United States courts, fiscal year 1939, including the same objects specified under this head in the Department of Justice Appropriation Act, 1939, \$150,000.

52 Stat. 268.

## DEPARTMENT OF LABOR

### OFFICE OF THE SECRETARY

Commissioners of Conciliation.

Commissioners of Conciliation: For an additional amount for salaries and expenses, Commissioners of Conciliation, including the same objects specified under this head in the Department of Labor Appropriation Act for the fiscal year 1934, \$380.15.

47 Stat. 1408.

### BUREAU OF LABOR STATISTICS

Investigation of labor conditions in Hawaii.

Not to exceed \$2,000 of the unexpended balance of the appropriation "Investigation of Labor Conditions in Hawaii, Bureau of Labor Statistics, 1939", contained in the Second Deficiency Appropriation Act, fiscal year 1938, is hereby continued available until June 30, 1940.

52 Stat. 1139.

## IMMIGRATION AND NATURALIZATION SERVICE

Salaries, Office of Commissioner of Immigration and Naturalization: For an additional amount for the employment of temporary personal services in the District of Columbia, fiscal year 1939, to remain available until December 31, 1939, \$20,700.

Temporary personal services.

Salaries, field service, Immigration and Naturalization Service: For an additional amount for the employment of temporary personnel, fiscal year 1939, to remain available until December 31, 1939, \$24,520.

Field service.

## NAVY DEPARTMENT

## OFFICE OF THE SECRETARY

Claim for damages by collision with naval vessels: To pay claims for damages adjusted and determined by the Secretary of the Navy under the provisions of the Act entitled "An Act to amend the Act authorizing the Secretary of the Navy to settle claims for damages to private property arising from collisions with naval vessels", approved December 28, 1922, as fully set forth in House Document Numbered 186, Seventy-sixth Congress, \$3,187.36.

Collision damage claims.

42 Stat. 1066.  
34 U. S. C. § 599.

Contingent expenses, Navy Department: For professional and technical books and periodicals, and so forth, including the same objects specified under this head in the Navy Department and Naval Service Appropriation Act for the fiscal year 1939, \$750.

Contingent expenses.

52 Stat. 245.

## BUREAU OF NAVIGATION

## NAVAL OBSERVATORY

Salaries: For an additional amount for salaries, Naval Observatory, fiscal year 1939, \$1,700.

Salaries.

## TRAINING, EDUCATION, AND WELFARE, NAVY

Naval Training Station, Newport, Rhode Island: For an additional amount for maintenance, operation, and so forth, for the fiscal year 1939, including the same objects specified under this head in the Naval Appropriation Act for the fiscal year 1939, \$120,000.

Newport, R. I.,  
Naval Training Station.

52 Stat. 225.

## BUREAU OF SUPPLIES AND ACCOUNTS

Fuel and transportation: The Secretary of the Treasury is hereby authorized and directed to transfer the sum of \$490,000 of the unexpended balance of the appropriation "Fuel and Transportation, Bureau of Supplies and Accounts, 1939" to the appropriation "Fuel and Transportation, Bureau of Supplies and Accounts, 1938".

Fuel and transportation.

52 Stat. 236.

50 Stat. 108.

## BUREAU OF YARDS AND DOCKS

Contingent, Bureau of Yards and Docks: For an additional amount for contingent expenses, and so forth, including the same object specified under this head in the Act making appropriation for the Navy Department and the naval service for the fiscal year 1939 (52 Stat. 238), \$47,000.

Contingent expenses.

52 Stat. 238.

Public works, Bureau of Yards and Docks: Toward the following public-works and public-utilities projects at a cost not to exceed the amount stated for such project, respectively, \$200,000, which amount, together with unexpended balances of appropriations heretofore made under this head, shall be disbursed and accounted for in accordance with existing law and shall constitute one fund:

Public works.

Annapolis, Md.,  
Naval Radio Station.  
Post, p. 774.  
Dahlgren, Va., Na-  
val Proving Ground.

Naval Radio Station, Annapolis, Maryland: Purchase of land, \$125,000;

Naval Proving Ground, Dahlgren, Virginia: Replacement of Gambo Creek Bridge, \$75,000.

#### REPLACEMENT OF NAVAL VESSELS

Construction and  
machinery.

Construction and machinery: For an additional amount on account of hulls and outfits of vessels and machinery of vessels heretofore authorized (and appropriated for in part), to remain available until expended, including the same objects and under the same conditions and limitations prescribed under this head in the Naval Appropriation Act for the fiscal year 1939, \$24,000,000.

52 Stat. 242.

Armor, armament,  
and ammunition.

Armor, armament, and ammunition: For an additional amount toward the armor, armament, and ammunition for vessels heretofore authorized (and appropriated for in part), to remain available until expended, including the same objects and under the same conditions and limitations prescribed under this head in the Naval Appropriation Act for the fiscal year 1939, \$12,500,000.

52 Stat. 242.

### POST OFFICE DEPARTMENT

#### OUT OF THE POSTAL REVENUES

##### OFFICE OF THE POSTMASTER GENERAL

Personal or prop-  
erty damage claims,  
1939.

Personal or property damage claims, 1939: For an additional amount to enable the Postmaster General to pay claims for damages, occurring during the fiscal year 1939, or in prior fiscal years, including the same objects specified under this head in the Post Office Department Appropriation Act, 1939, \$30,000.

52 Stat. 141.  
Transfer of desig-  
nated unexpended  
balances.

Unexpended balances of appropriations for the Post Office Department are hereby transferred and made available for the purposes of the appropriations to which transferred, as follows: The sum of \$130,000 from "Foreign Mail Transportation, 1937" to "Contract Air Mail Service, 1937"; the sum of \$247,403 from "Foreign Mail Transportation, 1938" to "Contract Air Mail Service, 1938"; the sum of \$590,000 from "Foreign Mail Transportation, 1939" to "Contract Air Mail Service, 1939"; and the sum of \$100,000 from "Railway Mail Service, Salaries, 1939" to "Railway Postal Clerks, Travel Allowances, 1939".

49 Stat. 1849.

50 Stat. 159.

52 Stat. 144.

52 Stat. 143.

### DEPARTMENT OF STATE

#### OFFICE OF THE SECRETARY

Printing and bind-  
ing.

Printing and binding: For an additional amount for printing and binding, Department of State, fiscal year 1939, including the same objects specified under this head in the Department of State Appropriation Act, 1939, \$15,000.

52 Stat. 249.

#### FOREIGN INTERCOURSE

Colombia and Vene-  
zuela, ambassadors.  
52 Stat. 249.

So much as may be necessary of the appropriation for salaries of Ambassadors and Ministers contained in the Department of State Appropriation Act, 1939, shall be available for the salaries of Ambassadors Extraordinary and Plenipotentiary to Colombia and Venezuela at the rate of \$17,500 per annum each.

Foreign Service  
clerks, salaries.

Salaries, Foreign Service clerks: For an additional amount for salaries, Foreign Service clerks, fiscal year 1939, including the same objects specified under this head in the Department of State Appropriation Act, 1939, \$41,700.

52 Stat. 251.

Contingent expenses, Foreign Service: For an additional amount for contingent expenses, Foreign Service, fiscal year 1939, including the same objects specified under this head in the Department of State Appropriation Act, 1939, \$140,000.

Allowances, Foreign Service: The amount which may be expended for allowances for living quarters, including heat, fuel, and light, from the appropriation "Office and Living Quarters, Foreign Service, 1939", is hereby increased from \$1,140,000 to \$1,160,000.

For an additional amount for allowance to widows or heirs of Foreign Service officers who die abroad, fiscal year 1933, including the same objects specified under this head in the Act making appropriations for the Department of State for the fiscal year 1933, \$91.67.

Contingent expenses.

52 Stat. 252.

Living quarters, allowances.

52 Stat. 250.

Allowance to widows, etc.

52 Stat. 250.

#### CONTRIBUTIONS, QUOTAS, AND SO FORTH

Not to exceed \$72.84 of the unexpended balance of the appropriation "United States Contributions to International Commissions, Congresses, and Bureaus, 1938", is hereby made available for expenses incurred during the fiscal year 1938 of the American group of the Interparliamentary Union.

Interparliamentary Union, expenses of American group.

50 Stat. 267.

#### MISCELLANEOUS

International Pacific Salmon Fisheries Commission: For an additional amount for International Pacific Salmon Fisheries Commission, fiscal year 1939, including the same objects specified under this head in the Department of State Appropriation Act, 1939, and including the purchase and exchange of one passenger-carrying automobile for official use in the field, \$10,000.

International Pacific Salmon Fisheries Commission.

52 Stat. 257.  
Automobile for field use.

Fifteenth International Congress of Architects: For an additional amount for the Fifteenth International Congress of Architects, fiscal year 1939, to remain available until December 31, 1939, including the same objects specified under this head in the Department of State Appropriation Act, 1939, \$6,000.

Fifteenth International Congress of Architects.

52 Stat. 257.

Arbitration of smelter fumes controversy, United States and Canada: For an additional amount for arbitration of smelter fumes controversy, United States and Canada, including the same objects specified under this head in the Department of State Appropriation Act, 1937, fiscal year 1939, to remain available until June 30, 1940, \$10,000, together with the unexpended balance of the appropriation for this purpose for the fiscal years 1936-1938.

Arbitration of smelter fumes controversy.

49 Stat. 1319.

#### TREASURY DEPARTMENT

There is authorized to be transferred, during the fiscal year 1939, with the approval of the Director of the Bureau of the Budget, from the funds appropriated to the Office of Commissioner of Accounts and Deposits and Division of Bookkeeping and Warrants by section 1 (5) of the Emergency Relief Appropriation Act of 1938, not to exceed \$375,000 to the Procurement Division, Branch of Supply, and not to exceed \$54,000 to the Office of the Treasurer of the United States, for administrative expenses incurred by those offices in carrying out the purposes of the Emergency Relief Appropriation Act of 1938, the amounts so transferred to be in addition to funds appropriated by the aforesaid Act to the two offices, respectively, for the same purpose.

Transfer of funds authorized.

52 Stat. 810.

Amounts to be additional.

Payments to Federal land banks on account of reductions in the interest rate on mortgages: For an additional amount to enable the Secretary of the Treasury to pay each Federal land bank such amount as the Land Bank Commissioner certifies to the Secretary of the Treasury is equal to the amount by which interest payments on

Payments to Federal land banks, reductions in interest rate on mortgages.



mortgages held by such land banks have been reduced during the fiscal year 1939, and prior thereto, in accordance with the provisions of paragraph twelfth of section 12 of the Federal Farm Loan Act (12 U. S. C. 771), as amended, fiscal year 1939, \$10,250,000.

48 Stat. 43.  
12 U. S. C. § 771;  
Supp. VI, § 771.

## BUREAU OF INTERNAL REVENUE

Refunding internal-  
revenue collections.

Refunding internal-revenue collections: For an additional amount for refunding internal-revenue collections, as provided by law, including the payment of claims for the fiscal year 1939 and prior years and accounts arising under "Allowance or draw-back (Internal Revenue)", "Redemption of stamps (Internal Revenue)", "Refunding legacy taxes, Act of March 30, 1928", and "Repayment of taxes on distilled spirits destroyed by casualty", \$3,800,000: *Provided*, That a report shall be made to Congress by internal-revenue districts and alphabetically arranged of all disbursements hereunder in excess of \$500 as required by section 3 of the Act of May 29, 1928 (26 U. S. C. 1676), including the names of all persons and corporations to whom such payments are made, together with the amount paid to each.

45 Stat. 398.  
*Proviso.*  
Report to Congress  
of refunds.

45 Stat. 996.  
26 U. S. C. § 1676.

## COAST GUARD

Coast Guard and  
Public Health Serv-  
ice, damage claims.

Claims for damages, operation of vessels, Coast Guard, and Public Health Service: To pay claims for damages adjusted and determined by the Secretary of the Treasury under the provisions of the Act entitled "An Act to provide for the adjustment and settlement of certain claims for damages resulting from the operation of vessels of the Coast Guard and the Public Health Service, in sums not exceeding \$3,000 in any one case", approved June 15, 1936, as fully set forth in Senate Document Numbered 49, and House Document Numbered 197, Seventy-sixth Congress, \$941.44.

49 Stat. 1514.  
14 U. S. C., Supp.  
IV, § 71.

Outfits.

Outfits: For an additional amount for outfits, fiscal year 1939, including the same objects specified under this head in the Treasury Department Appropriation Act, 1939, \$142,200, to remain available until June 30, 1940.

52 Stat. 129.

Station improve-  
ments.

Rebuilding and repairing stations, and so forth: For an additional amount for rebuilding and repairing stations, fiscal year 1939, including the same objects specified under this head in the Treasury Department Appropriation Act, 1939, \$1,318,400, to remain available until June 30, 1940.

52 Stat. 130.

Rebuilding and repairing stations, and so forth: For an additional amount for rebuilding and repairing stations, fiscal year 1940, including the same objects specified under this head in the Treasury Department Appropriation Act, 1939, \$334,000.

52 Stat. 130.

Communication  
lines.

Communication lines: For an additional amount for communication lines, fiscal year 1939, including the same objects specified under this head in the Treasury Department Appropriation Act, 1939, \$106,400, to remain available until June 30, 1940.

52 Stat. 130.

Repairs to vessels.

Repairs to vessels: For an additional amount for repairs to Coast Guard vessels, fiscal year 1939, including the same objects specified under this head in the Treasury Department Appropriation Act, 1939, \$28,000, to remain available until June 30, 1940.

52 Stat. 130.

## PUBLIC HEALTH SERVICE

Injured emergency  
relief workers, medical,  
etc., services.

The limitation of not to exceed \$400,000 in the amount authorized to be allocated by the Administrator of the Works Progress Administration to the Public Health Service for furnishing medical, surgical, and hospital services to injured emergency relief workers as contained in the Second Deficiency Appropriation Act, fiscal year 1938 (52 Stat. 1152), is hereby increased to not to exceed \$800,000.

52 Stat. 1152.

Pay of other employees: For an additional amount for pay of other employees, Public Health Service, fiscal year 1939, including the same objects specified under this head in the Treasury Department Appropriation Act, 1939, \$40,350.

Pay of other employees.

52 Stat. 132.

National Institute of Health, maintenance: For an additional amount for maintaining the National Institute of Health, fiscal year 1939, \$51,000.

National Institute of Health.

## WAR DEPARTMENT

### MILITARY ACTIVITIES

#### GENERAL STAFF CORPS

Contingencies, Military Intelligence Division: There is hereby transferred to the appropriation "Contingencies, Military Intelligence Division, 1939", the sum of \$12,500 from the appropriation "Pay of the Army, 1939".

Military Intelligence Division, contingencies.  
Transfer of funds.  
52 Stat. 644, 645.

#### QUARTERMASTER CORPS

Army transportation: For an additional amount for Army transportation, including the same objects specified under this head in the Military Appropriation Act, 1939, to remain available until June 30, 1940, \$426,456: *Provided*, That the amount authorized for the purchase or construction of boats and other vessels in such appropriation is hereby increased from \$242,000 to \$262,000.

Army transportation.

52 Stat. 650.

*Proviso.*  
Boats, etc., amount increased.

Barracks and quarters: For an additional amount for barracks and quarters, including the same objects specified under this head in the Military Appropriation Act for the fiscal year 1939, to remain available until June 30, 1940, and to be expended without reference to the limitation as to the cost of construction contained in said Act and in section 1339, title 10, U. S. C., \$790,000.

Barracks and quarters.

52 Stat. 652.  
Availability and expenditure.

10 U. S. C. § 1339.

Acquisition of land: For the acquisition of land, as authorized by the Act of August 12, 1935 (49 Stat. 610), in the vicinity of Wright Field, Ohio, fiscal year 1939, to remain available until June 30, 1940, \$8,000.

Acquisition of land near Wright Field, Ohio.  
49 Stat. 610.

#### AIR CORPS

Development of rotary-wing aircraft: For rotary-wing aircraft research, development, procurement, experimentation, and operation for service testing, as authorized by the Act approved June 30, 1938 (52 Stat. 1255), and for all purposes authorized therein, including the employment of personnel in the departmental service at the seat of government, printing and binding, and travel of military and civilian personnel engaged on work for which this appropriation is made, fiscal year 1939, to remain available until expended, \$300,000.

Development of rotary-wing aircraft.

52 Stat. 1255.

Printing and binding.

#### SEACOAST DEFENSES

For an additional amount for seacoast defenses, United States, including the same objects specified under this head in the Military Appropriation Act for the fiscal year 1939, to remain available until June 30, 1940, \$265,000.

Seacoast defenses.  
*Post*, p. 1327.

52 Stat. 659.

#### UNITED STATES MILITARY ACADEMY

Pay of Military Academy: There is hereby transferred to the appropriation "Pay of Military Academy, 1939", for the pay of cadets, the sum of \$50,000 from the appropriation "Reserve Officers' Training Corps, 1939".

Pay, funds transferred.  
52 Stat. 659, 664.

## NATIONAL GUARD

Instruction, etc., expenses.

52 Stat. 660.

Expenses, camps of instruction, field and supplemental training: For an additional amount for expenses, camps of instruction, field and supplemental training, including the same objects specified under this head in the Military Appropriation Act for the fiscal year 1939, to remain available until June 30, 1940, \$73,000.

## CIVIL FUNCTIONS

## CORPS OF ENGINEERS

Battleship Oregon, mooring.

52 Stat. 678.

For payment of expenses chargeable to the Federal Government in preparing and constructing a mooring for the battleship Oregon and removing such battleship to such mooring, as authorized by the Act approved June 14, 1938 (52 Stat. 678), fiscal year 1939, to remain available until expended, \$25,000.

## THE PANAMA CANAL

Goethals Memorial, C. Z., completion.

49 Stat. 743; 52 Stat. 436.

Travel expenses.

Architect.

50 Stat. 520.

*Provided*,  
Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.

For completion of a memorial to Major General George W. Goethals within the Canal Zone authorized by the Act of August 24, 1935 (49 Stat. 743), as amended by the Act of May 23, 1938 (52 Stat. 436), including travel expenses of the members of the Goethals Memorial Commission appointed by the President under authority of said Act of August 24, 1935, and of the employees of said Commission, employment of an architect or architects without regard to the provisions of other laws applicable to the employment or compensation of officers and employees of the United States, stationery and supplies, and all other necessary expenses, fiscal year 1939, to remain available until expended, \$155,000, together with the unexpended balance of the appropriation of \$5,000 made under this head by the War Department Civil Appropriation Act, 1938: *Provided*, That section 3709, Revised Statutes (41 U. S. C. 5), shall not apply in the case of any expenditure hereunder where the aggregate amount involved does not exceed \$500.

## TITLE II—SPECIAL APPROPRIATIONS, MILITARY ESTABLISHMENT

## MILITARY ACTIVITIES

## QUARTERMASTER CORPS

Clothing and equipage.

52 Stat. 649.

Supplies and services.

Army transportation.

52 Stat. 650.

Boats, etc.

Clothing and equipage: For an additional amount for clothing and equipage for the Army, comprising the same objects specified under this head in the Military Appropriation Act, 1939, and including the employment of persons and the procurement of supplies and services, printing and binding, and communication service, at the seat of government and elsewhere, fiscal year 1939, to remain available until June 30, 1940, \$1,017,388.

Army transportation: For an additional amount for Army transportation, comprising the same objects specified under this head in the Military Appropriation Act, 1939, and including the employment of persons and the procurement of supplies and services, printing and binding, and communication service, at the seat of government and elsewhere, fiscal year 1939, to remain available until June 30, 1940, \$1,000,000, of which amount not in excess of \$130,000 may be utilized for the purchase or construction of boats and other vessels.

## SIGNAL CORPS

Signal Service of the Army: For an additional amount for Signal Service of the Army, comprising the same objects specified under this head in the Military Appropriation Act, 1939, and including the employment of persons and the procurement of supplies and services, printing and binding, and communication service, at the seat of government and elsewhere, fiscal year 1939, to remain available until June 30, 1940, \$2,571,250.

Signal Service.

52 Stat. 653.

## MEDICAL DEPARTMENT

Medical and Hospital Department: For an additional amount for Medical and Hospital Department, Army, comprising the same objects specified under this head in the Military Appropriation Act, 1939, and including the employment of persons and the procurement of supplies and services, printing and binding, and communication service, at the seat of government and elsewhere, fiscal year 1939, to remain available until June 30, 1940, \$295,000.

Medical and Hospital Department.

52 Stat. 656.

## CORPS OF ENGINEERS

Engineer Service, Army: For an additional amount for Engineer Service, Army, comprising the same objects specified under this head in the Military Appropriation Act, 1939, and including the employment of persons and the procurement of supplies and services, printing and binding, and communication service, at the seat of government and elsewhere, fiscal year 1939, to remain available until June 30, 1940, \$2,900,000, and, in addition, the Chief of Engineers, when authorized by the Secretary of War, may enter into contracts prior to July 1, 1940, for the procurement of engineer equipment to an amount not in excess of \$1,000,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of costs thereof.

Engineer Service.

52 Stat. 657.

Procurement of engineer equipment, contracts.

## ORDNANCE DEPARTMENT

Ordnance service and supplies, Army: For an additional amount for ordnance service and supplies, Army, comprising the same objects specified under this head in the Military Appropriation Act, 1939, and including the employment of persons and the procurement of supplies and services, printing and binding, tuition of officers of the Ordnance Department at educational institutions, and communication service, at the seat of government and elsewhere, fiscal year 1939, to remain available until June 30, 1940, \$55,366,362, and in addition, the Chief of Ordnance, when authorized by the Secretary of War, may enter into contracts prior to July 1, 1940, for ordnance service and supplies, to an amount not in excess of \$44,000,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof: *Provided*, That the President may, with their consent, order Ordnance Reserve officers and Specialist Reserve officers assigned to the Ordnance Department to active duty for such periods as may be necessary to carry out the purposes of this appropriation, and the pay and allowances of such officers while so assigned shall be charged to this appropriation.

Ordnance service and supplies.

52 Stat. 657.

Tuition of officers.

Contracts.

*Proriso.*  
Assignment of Reserve officers to active duty.

## CHEMICAL WARFARE SERVICE

Chemical Warfare Service, Army: For an additional amount for Chemical Warfare Service, Army, comprising the same objects specified under this head in the Military Appropriation Act, 1939, and including the employment of persons and the procurement of

Chemical Warfare Service.

52 Stat. 658.

Contracts.

supplies and services, printing and binding, and communication service, at the seat of government and elsewhere, fiscal year 1939, to remain available until June 30, 1940, \$1,110,000, and, in addition, the Chief of Chemical Warfare Service, when authorized by the Secretary of War, may enter into contracts prior to July 1, 1940, for the procurement of chemical-warfare equipment to an amount not in excess of \$740,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of costs thereof.

## SEACOAST DEFENSES

Expenses.  
*Post*, p. 996.  
52 Stat. 659.

For additional amounts for seacoast defenses, comprising the same objects specified under this head in the Military Appropriation Act, 1939, and including the employment of persons and the procurement of supplies and services, printing and binding, and communication service, at the seat of government and elsewhere, fiscal year 1939, as follows:

United States, \$3,295,631, of which \$1,222,738 shall remain available until expended;

Insular departments, \$766,284, of which \$41,900 shall remain available until expended;

Panama Canal, \$1,416,372, of which \$688,805 shall remain available until expended;

Availability.  
Contracts.

In all, \$5,478,287, of which \$1,953,443 shall remain available until expended; and in addition, when authorized by the Secretary of War, contracts may be entered into prior to July 1, 1940, for the procurement of equipment for seacoast defenses, such action in each case to be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, as follows:

United States, \$591,000;

Insular Departments, \$339,000;

Panama Canal, \$131,000;

In all, \$1,061,000.

## TITLE III—JUDGMENTS AND AUTHORIZED CLAIMS

## PROPERTY DAMAGE CLAIMS

Payment.

42 Stat. 1066.  
31 U. S. C. §§ 215-217.

SEC. 301. (a) For the payment of claims for damages to or losses of privately owned property, adjusted and determined by the following respective departments and independent offices, under the provisions of the Act entitled "An Act to provide a method for the settlement of claims arising against the Government of the United States in the sums not exceeding \$1,000 in any one case", approved December 28, 1922 (U. S. C., title 31, secs. 215-217), as fully set forth in House Document Numbered 195 of the Seventy-sixth Congress, as follows:

Farm Credit Administration, \$25.80;

Veterans' Administration, \$20;

Works Progress Administration, \$418.67;

Department of Agriculture, \$406.31;

Department of the Interior, \$476;

Navy Department, \$309.75;

War Department, \$1,627.65;

Treasury Department, \$262.01;

Post Office Department (payable from postal revenues), \$272.32;

In all, \$3,818.51.

(b) For the payment of claims for damages to or losses of privately owned property, adjusted and determined by the following respective departments and independent offices, under the provisions

of the Act entitled "An Act to provide a method for the settlement of claims arising against the Government of the United States in the sums not exceeding \$1,000 in any one case", approved December 28, 1922 (U. S. C., title 31, secs. 215-217), as fully set forth in Senate Document Numbered 47 of the Seventy-sixth Congress, as follows:

42 Stat. 1066.  
31 U. S. C. §§ 215-217.

Social Security Board, \$11;  
Works Progress Administration, \$1,374.46;  
Department of Agriculture, \$1,125.69;  
Department of Commerce, \$195;  
Department of the Interior, \$1,247.33;  
Department of Justice, \$36.36;  
Navy Department, \$76.80;  
Treasury Department, \$5;  
War Department, \$2,172.23;  
Post Office Department (payable from postal revenues), \$188.70;  
In all, \$6,432.57.

#### JUDGMENTS, UNITED STATES COURTS

SEC. 302. (a) For payment of the final judgments and decrees, including costs of suits, which have been rendered under the provisions of the Act of March 3, 1887, entitled "An Act to provide for the bringing of suits against the Government of the United States", as amended by the Judicial Code, approved March 3, 1911 (28 U. S. C. 41, 258, 761-765), certified to the Seventy-sixth Congress in Senate Document Numbered 48, and House Document Numbered 185 under the following Departments and establishments, namely:

Payment.

Department of Agriculture, \$1,105.68;  
Department of the Interior, \$5,675;  
War Department, \$5,920;

24 Stat. 505.  
28 U. S. C. § 41, par. 20; §§ 258, 761-765.

In all, \$12,700.68, together with such additional sum as may be necessary to pay interest and costs as specified in such judgments or as provided by law.

Interest and costs.

(b) For the payment of judgment, including costs of suit, rendered against the Government of the United States by a United States district court under the provisions of an Act entitled "An Act authorizing suits against the United States in admiralty for damages caused by and salvage services rendered to public vessels belonging to the United States, and for other purposes", approved March 3, 1925 (46 U. S. C. 781-789), certified to the Seventy-sixth Congress in House Document Numbered 185, under the following department:

Suits in admiralty,  
Navy Department.

Navy Department, \$2,764.90; together with such additional sum as may be necessary to pay interest as specified in such judgment or as provided by law.

43 Stat. 1112.  
46 U. S. C. §§ 781-790.

(c) None of the judgments contained under this caption shall be paid until the right of appeal shall have expired, except such as have become final and conclusive against the United States by failure of the parties to appeal or otherwise.

Time of payment.

(d) Payment of interest wherever provided for judgments contained in this Act shall not in any case continue for more than thirty days after the date of approval of the Act.

Interest.

#### JUDGMENTS, COURT OF CLAIMS

SEC. 303. (a) For payment of the judgments rendered by the Court of Claims and reported to the Seventy-sixth Congress in Senate Document Numbered 50, and House Document Numbered 196, under the following departments and establishments, namely:

Payment.

Department of the Interior, \$296,011.42;  
Department of Justice, \$40;

Department of Labor, \$13,493.36;  
 Navy Department, \$36,122.91;  
 Treasury Department, \$28,795.64;  
 War Department, \$49,306.43.

Interest. In all, \$423,769.76, together with such additional sum as may be necessary to pay interest as and where specified in such judgments.

Time of payment. (b) None of the judgments contained under this caption shall be paid until the right of appeal shall have expired, except such as have become final and conclusive against the United States by failure of the parties to appeal or otherwise.

## AUDITED CLAIMS

Payment. SEC. 304. (a) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1936 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in House Document Numbered 190, Seventy-sixth Congress, there is appropriated as follows:

18 Stat. 110.  
31 U. S. C. § 713.

23 Stat. 254.  
5 U. S. C. § 266.

Legislative. **Legislative:** For public printing and binding, Government Printing Office, \$178.20.

Independent Offices. **Independent Offices:** For salaries and expenses, Civil Service Commission, \$52.44.  
 For Federal Civil Works Administration, \$8.55.  
 For farmers' crop production and harvesting loans, Farm Credit Administration, \$322.25.  
 For loans and relief in stricken agricultural areas (transfer to Farm Credit Administration), \$55.  
 For salaries and expenses, Farm Credit Administration, \$55.96.  
 For special investigation, Federal Communications Commission, \$33.45.  
 For Federal Trade Commission, \$48.06.  
 For Interstate Commerce Commission, \$7.  
 For salaries and expenses, National Archives, \$73.89.  
 For National Industrial Recovery, National Recovery Administration, \$195.55.

40 Stat. 1009. For operations under Mineral Act of October 5, 1938, \$443.78.  
 For Public Works Administration, allotment to National Resources Board, \$1.87.  
 For Securities and Exchange Commission, \$202.07.  
 For military and naval compensation, Veterans' Bureau, \$20.10.  
 For salaries and expenses, Veterans' Administration, \$7,221.49.

Department of Agriculture. **Department of Agriculture:** For salaries and expenses, Extension Service, \$14.80.  
 For salaries and expenses, Weather Bureau, \$3.10.  
 For salaries and expenses, Bureau of Animal Industry, \$3.62.  
 For salaries and expenses, Bureau of Plant Industry, \$31.67.  
 For salaries and expenses, Forest Service, \$165.06.  
 For salaries and expenses, Bureau of Agricultural Economics, \$25.99.  
 For salaries and expenses, Bureau of Biological Survey, \$12.07.  
 For salaries and expenses, Bureau of Home Economics, \$16.40.  
 For salaries and expenses, Food and Drug Administration, \$129.81.  
 For salaries and expenses, Bureau of Entomology and Plant Quarantine, \$80.05.

For salaries and expenses, Soil Conservation Service, \$16.11.

For miscellaneous expenses, Department of Agriculture, 46 cents.

For special research fund, Department of Agriculture, \$33.

For plant reserve stations, Soil Conservation Service, 45 cents.

For loans and relief in stricken agricultural areas (transfer to Agriculture), \$185.79.

For working fund, Agriculture, Agricultural Adjustment Administration, \$19.86.

For working fund, Agriculture, Biological Survey (Federal emergency relief, surplus relief, National Industrial Recovery), \$6.63.

For National Industrial Recovery, Agricultural Adjustment Administration, \$4.12.

For exportation and domestic consumption of agricultural commodities, Department of Agriculture, \$4,071.25.

**Department of Commerce:** For miscellaneous expenses, Bureau of Fisheries, \$177.93. Department of Commerce.

For party expenses, Coast and Geodetic Survey, \$4.50.

For general expenses, Lighthouse Service, \$83.30.

For salaries and expenses, Bureau of Navigation and Steamboat Inspection, \$51.31.

For air-navigation facilities, \$112.59.

For testing, inspection, and information service, National Bureau of Standards, \$18.64.

For shellfish investigation, Bureau of Fisheries, \$13.05.

For district and cooperative office service, Department of Commerce, \$3.35.

For promoting commerce in Europe and other areas, \$17.30.

For aircraft in Commerce, \$13.86.

**Department of the Interior:** For Petroleum Administration (transfer to Interior), \$21.03. Department of the Interior.

For Geological Survey, \$16.24.

For salaries and expenses, vocational education, Office of Education, \$28.69.

For conservation of health among Indians, \$45.

For Indian school support, \$12.30.

For purchase and transportation of Indian supplies, \$25.58.

For Indian service supply fund, \$894.81.

For Indian boarding schools, \$1,103.89.

For emergency conservation fund (transfer from War to Interior, Indians, Act of June 19, 1934), \$5.60. 48 Stat. 1021.

For expenses of organizing Indian corporations, and so forth, \$17.30.

For loans and relief in stricken agricultural areas (transfer from Agriculture to Interior, Indians), \$13.72.

For maintenance, Wapato irrigation and drainage system, and so forth, Yakima Reservation, Washington (receipt limitation), \$2,288.39.

**Department of Justice:** For salaries, fees, and expenses of marshals, United States courts, \$1,110.85. Department of Justice.

For fees of jurors and witnesses, United States courts, \$117.91.

For salaries and expenses, veterans' insurance litigation, Department of Justice, \$22.50.

For salaries and expenses, Division of Investigation, Department of Justice, \$6.86.

For contingent expenses, Department of Justice, 75 cents.

For fees of commissioners, United States courts, \$972.

For fees and expenses of Conciliation Commissioners, United States courts, \$25.

For salaries, district court, Panama Canal Zone, \$320.86.



Department of Labor.

**Department of Labor:** For salaries and expenses, Immigration and Naturalization Service, \$347.80.

For salaries and expenses, Bureau of Labor Statistics, \$22.43.

For United States Employment Service, Department of Labor, \$42.08.

For salaries and expenses, Women's Bureau, \$35.45.

For investigation of cost of living in the United States, \$8.26.

Navy Department.

For salaries and expenses, Commissioners of Conciliation, \$8.26.

**Navy Department:** For payment to officers and employees of the United States in foreign countries due to appreciation of foreign currencies (Navy), \$467.57.

For miscellaneous expenses, Navy, \$2.64.

For organizing the Naval Reserve, \$336.96.

For engineering, Bureau of Engineering, \$10,200.

For pay, subsistence, and transportation, Navy, \$1,829.98.

For pay of the Navy, \$1.40.

For maintenance, Bureau of Supplies and Accounts, \$176.80.

For general expenses, Marine Corps, \$12.16.

For pay, Marine Corps, \$225.28.

For aviation, Navy, \$3,040.87.

For increase of the Navy, emergency construction, \$17,348.83.

For construction and repair, Bureau of Construction and Repair, \$9,748.75.

Department of State.

**Department of State:** For salaries, Foreign Service officers, \$834.18.

For transportation of Foreign Service officers, \$23.94.

For contingent expenses, Foreign Service, \$1.90.

For office and living quarters, Foreign Service, \$42.66.

For payment to officers and employees of the United States in foreign countries due to appreciation of foreign currencies (State), \$241.90.

Treasury Department.

**Treasury Department:** For stationery, Treasury Department, \$14.20.

For salaries and expenses, Division of Disbursement, \$11.28.

For collecting the revenue from customs, \$82.15.

For collecting the internal revenue, \$237.47.

For salaries and expenses, Bureau of Narcotics, \$54.52.

For contingent expenses, Coast Guard, \$611.02.

For Coast Guard, \$7.47.

For repairs to Coast Guard vessels, \$5.36.

For pay and allowances, Coast Guard, \$984.33.

For pay of personnel and maintenance of hospitals, Public Health Service, \$142.86.

For interstate quarantine service, \$10.

For furniture and repairs of same for public buildings, \$79.70.

For furniture and repairs of same for public buildings, Procurement Division, \$3.15.

For general expenses, Procurement Division, \$7.75.

For general administrative expenses, public works branch, Procurement Division, \$3.

For mechanical equipment for public buildings, Procurement Division, \$9.

For repairs and preservation of public buildings, Procurement Division, 50 cents.

For repairs, preservation, and equipment, public buildings, Procurement Division, \$80.21.

For plate printing, Bureau of Engraving and Printing, \$14.40.

For increase of compensation, Treasury Department, \$4.82.

For expenses, Division of Mental Hygiene, Public Health Service, \$11.50.

<b>War Department:</b> For pay, and so forth, of the Army, \$869.40.	War Department.
For pay of the Army, \$431.14.	
For extra pay to volunteers, War with Spain, \$440.80.	
For Reserve Officers' Training Corps, \$128.06.	
For National Guard, \$100.59.	
For Organized Reserves, \$46.22.	
For Army transportation, \$524.21.	
For increase of compensation, Military Establishment, \$79.67.	
For Air Corps, Army, \$85.70.	
For replacing Army transportation, \$271.37.	
For claims of officers and men of the Army for destruction of private property (Act March 3, 1885), \$114.61.	23 Stat. 350.
For promotion of rifle practice, \$6.90.	
For pay, and so forth, of the Army, War with Spain, \$32.56.	
For travel of the Army, 81 cents.	
For travel, military and civil personnel, War Department, \$52.12.	
For replacing ordnance and ordnance stores, \$38.72.	
For supplies, services, and transportation, Quartermaster Corps, \$5.98.	
For replacing clothing and equipage, \$78.12.	
For clothing and equipage, \$23.50.	
For general appropriations, Quartermaster Corps, \$5,962.49.	
For cemeterial expenses, War Department, \$11.14.	
For emergency conservation fund (transfer to War, Act March 31, 1933), \$79.64.	48 Stat. 22.
For emergency conservation fund (transfer to War, Act June 19, 1934), \$115.98.	48 Stat. 1021.
<b>Post Office Department—Postal Service (Out of the Postal Revenues):</b> For clerks, first- and second-class post offices, \$68.75.	Post Office Department.
For freight, express, or motor transportation of equipment, and so forth, \$15.29.	
For indemnities, domestic mail, \$162.74.	
For operating supplies for public buildings, Post Office Department, \$3.31.	
For railroad transportation and mail messenger service, \$206.	
For railway postal clerk, travel allowance, \$82.63.	
For Rural Delivery Service, \$412.59.	
For special-delivery fees, \$8.53.	
For village delivery service, \$5.11.	
Total, audited claims, section 304 (a), \$79,124.48, together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency as specified in certain of the settlements of the General Accounting Office.	Total; additional sum, increases in rates of exchange.
(b) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1936 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in Senate Document Numbered 51, Seventy-sixth Congress, there is appropriated as follows:	Additional audited claims.
<b>Independent Offices:</b> For Federal Civil Works Administration, \$18.47.	18 Stat. 110. 31 U. S. C. § 713.
For farmers' crop production and harvesting loans, Farm Credit Administration, \$184.95.	23 Stat. 254. 5 U. S. C. § 266.
For National Industrial Recovery, Federal Emergency Relief Administration, surplus relief, \$4.93.	
For Federal Trade Commission, \$64.67.	Independent Offices.

40 Stat. 1009.

Department of Agriculture.

Department of Commerce.

Department of the Interior.

Department of Justice.

For National Industrial Recovery, National Recovery Administration, \$10.90.

For operations under Mineral Act of October 5, 1918, \$2,500.

For Army pensions, \$5.55.

For medical and hospital services, Veterans' Bureau, \$39.75.

For salaries and expenses, Veterans' Bureau, \$6.15.

For salaries and expenses, Veterans' Administration, \$22,376.20.

**Department of Agriculture:** For salaries and expenses, Bureau of Animal Industry, \$16.41.

For salaries and expenses, Bureau of Plant Industry, \$12.04.

For salaries and expenses, Forest Service, \$5.97.

For salaries and expenses, Food and Drug Administration, \$8.

For salaries and expenses, Bureau of Entomology and Plant Quarantine, \$242.66.

For salaries and expenses, Bureau of Biological Survey, \$42.65.

For salaries and expenses, Bureau of Agricultural Economics, \$16.04.

For salaries and expenses, Soil Conservation Service, \$107.48.

For plant reserve stations, Soil Conservation Service, \$5.25.

For general expenses, Agricultural Adjustment Administration, \$1,280.53.

For working fund, Agriculture, Animal Industry (Agricultural Adjustment Administration), \$325.

For chinch bug control, Department of Agriculture, \$43.96.

For emergency relief and public works, Agriculture, wildlife refuges, \$589.20.

For loans and relief in stricken agricultural areas (transfer to Agriculture) (silviculture), \$35.95.

For elimination of diseased cattle, Department of Agriculture, \$25.

For exportation and domestic consumption of agricultural commodities, Department of Agriculture, \$617.84.

**Department of Commerce:** For air-navigation facilities, \$7.31.

For general expenses, Lighthouse Service, \$88.20.

**Department of the Interior:** For salaries and expenses, Division of Grazing Control, Department of the Interior, \$26.25.

For salaries and expenses, public buildings and grounds in the District of Columbia, National Park Service, \$1.28.

For general expenses, Indian Service, \$1.80.

For purchase and transportation of Indian supplies, \$4.49.

For pay of Indian police, \$23.41.

For agriculture and stock raising among Indians, \$4.

For Indian schools, support, \$6.

For Indian school buildings, \$7.25.

For clinical survey of disease conditions among Indians, \$3.87.

For conservation of health among Indians, \$51.05.

For support of Indians and administration of Indian property, \$116.14.

For loans and relief in stricken agricultural areas (transfer from Agriculture to Interior, Indians), \$12.50.

**Department of Justice:** For salaries and expenses, Bureau of Prohibition, \$25.75.

For salaries and expenses, Division of Investigation, \$184.27.

For fees and expenses of conciliation commissioners, United States courts, \$175.

For fees of commissioners, United States courts, \$1,771.96.

For miscellaneous expenses, United States courts, \$2.

For support of United States prisoners, \$189.30.

For pay of special assistant attorneys, United States courts, \$2.20.

For United States penitentiary, McNeil Island, Washington, maintenance, \$351.86.

**Department of Labor:** For miscellaneous expenses, Bureau of Naturalization, \$1.60. Department of Labor.

For salaries and expenses, Bureau of Immigration, \$3.95.

For salaries and expenses, Immigration and Naturalization Service, \$61.84.

For National Industrial Recovery, Labor, United States Employment Service, \$3.36.

For United States Employment Service, Department of Labor, \$5.75.

**Navy Department:** For payment to officers and employees of the United States in foreign countries due to appreciation of foreign currencies (Navy), \$163.86. Navy Department.

For aviation, Navy, \$18,288.28.

For pay, subsistence, and transportation, Navy, \$197.25.

For transportation, Bureau of Navigation, \$10.55.

For engineering, Bureau of Engineering, \$300.05.

For pay of the Navy, \$44.67.

For maintenance, Bureau of Supplies and Accounts, \$1.98.

**Department of State:** For salaries, chargés d'affaires ad interim, \$27.08. Department of State.

For payment to officers and employees of the United States in foreign countries due to appreciation of foreign currencies (State), \$17.09.

For contingent expenses, Foreign Service, \$449.63.

For contingent expenses, Foreign Missions, \$65.88.

**Treasury Department:** For Coast Guard, \$60. Treasury Department.

For pay and allowances, Coast Guard, \$75.25.

For contingent expenses, Coast Guard, \$68.71.

For collecting the internal revenue, \$83.37.

For enforcement of Narcotic and National Prohibition Acts, internal revenue, 75 cents.

For collecting the revenue from customs, \$2.

For pay of personnel and maintenance of hospitals, Public Health Service, \$3.

For general administrative expenses, Public Works branch, Procurement Division, \$334.25.

For general expenses of public buildings, \$4.40.

For repairs, preservation, and equipment, public buildings, Procurement Division, \$46.

**War Department:** For general appropriations, Quartermaster Corps, \$4,324.76. War Department.

For pay, and so forth, of the Army, \$817.28.

For pay of the Army, \$6.84.

For Army transportation, \$56.81.

For Reserve Officers' Training Corps, \$21.30.

For National Guard, \$82.48.

For travel of the Army, \$55.83.

For Signal Service of the Army, \$30,151.68.

For extra pay to volunteers, War with Spain, \$64.

For Air Corps, Army, \$26.28.

For supplies, services, and transportation, Quartermaster Corps, \$50.25.

For barracks and quarters, \$26.67.

For claims of officers and men of the Army for destruction of private property (Act March 3, 1885), \$56.62.

For increase of compensation, Military Establishment, \$92.60.

For cemeterial expenses, \$35.62.

For emergency conservation fund (transfer to War, Act March 31, 1933), \$1,062.91. 23 Stat. 350.  
31 U. S. C. §§ 218-222.  
48 Stat. 22.

48 Stat. 1021.	For emergency conservation fund (transfer to War, Act June 19, 1934), \$20.78.
	For increase of compensation, rivers and harbors, \$5.
Post Office Department.	<b>Post Office Department—Postal Service (out of the Postal Revenues):</b> For clerks, first- and second-class post offices, \$200.
	For indemnities, domestic mail, \$13.30.
	For Railway Mail Service, salaries, \$448.12.
	For Rural Delivery Service, \$394.09.
	For separating mails, \$90.
Total; additional sum, increases in rates of exchange.	Total, audited claims, section 304 (b), \$90,065.21, together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency as specified in certain of the settlements of the General Accounting Office.
Short title.	SEC. 305. This Act may be cited as the "Second Deficiency Appropriation Act, fiscal year 1939".
	Approved, May 2, 1939.

## [CHAPTER 109]

## AN ACT

May 3, 1939  
[H. R. 2320]  
[Public, No. 62]

To provide domiciliary care, medical and hospital treatment, and burial benefits to certain veterans of the Spanish-American War, the Philippine Insurrection, and the Boxer Rebellion.

Veterans of designated wars, etc.

Domiciliary care, medical, etc., treatment, and burial benefits extended to certain.

48 Stat. 9, 11; 49 Stat. 729.

38 U. S. C. §§ 706, 717; Supp. IV, § 706.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in addition to persons entitled to domiciliary care, medical and hospital treatment, and burial benefits under the provisions of sections 6 and 17, Public Law Numbered 2, Seventy-third Congress, as amended (U. S. C., title 38, secs. 706 and 717), and regulations issued pursuant thereto, as amended, those persons recognized as veterans of the Spanish-American War, including the Boxer Rebellion and Philippine Insurrection, under public laws in effect on March 19, 1933, are hereby included within the provisions of the aforesaid section 6, as amended, and the second proviso of the aforesaid section 17, and regulations issued pursuant thereto, as amended, in the same manner and to the same extent as the provisions are now or may hereafter be applied to veterans of any war as specified therein.

Approved, May 3, 1939.

## [CHAPTER 110]

## AN ACT

May 3, 1939  
[H. R. 3134]  
[Public, No. 63]

To amend the Act entitled "An Act authorizing the temporary detail of United States employees, possessing special qualifications, to governments of American republics and the Philippines, and for other purposes", approved May 25, 1938.

American Republics, Philippine Islands, and Liberia.

52 Stat. 442.

5 U. S. C., Supp. IV, § 118a.

Temporary detail of United States employees to, authorized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act entitled "An Act authorizing the temporary detail of United States employees, possessing special qualifications, to governments of American republics and the Philippines, and for other purposes", approved May 25, 1938, be, and the same is hereby, amended to read as follows:

"That the President of the United States be, and hereby is, authorized, whenever he finds that the public interest renders such a course advisable, upon agreement with the government of any other American republic or the Government of the Commonwealth of the Philippine Islands, or the Government of Liberia, if such government is desirous of obtaining the services of a person having special scientific or other technical or professional qualifications, other than those

persons covered by the Act of May 19, 1926 (44 Stat. 565), as amended by the Act of May 14, 1935 (49 Stat. 218), from time to time to detail for temporary service of not exceeding one year at a time, under such government, any such person in the employ of the Government of the United States: *Provided*, That the President may, in extraordinary circumstances, extend the period of such detail for one or more additional periods of not to exceed six months each: *Provided further*, That while so detailed, such person shall be considered, for the purpose of preserving his rights and privileges as such, an officer or employee of the Government of the United States and of the department or agency from which detailed and shall continue to receive therefrom compensation, and he may receive additional compensation from the department or agency from which detailed not to exceed 50 per centum of the compensation he was receiving as an officer or employee of the United States at the time of detail, and shall receive from the United States reimbursement for travel expenses to and from the place of detail and monthly allowances determined by the President to be adequate for quarters and subsistence during the period of such detail. The additional compensation, travel expenses, and other allowances authorized by this Act to be paid to any such officer or employee shall be paid from any appropriations available for the payment of compensation and travel expenses of the officers and employees of the department or agency from which he is detailed: *Provided, however*, That if any government to which a detail is authorized by this Act shall express the desire to reimburse this Government in whole or in part for the expenses of such detail, the President is authorized, when he deems it in the public interest, to accept such reimbursement and the amount so received may be credited to (a) appropriations current at the time the expenses of such detail are to be or have been paid, (b) appropriations current at the time such amounts are received, or (c) in part as provided under (a) and in part as provided under (b) hereof; and such amount shall be available for the purposes of the appropriations to which credited: *And provided further*, That if any such government shall express the desire to provide advances of funds to be used by this Government, in whole or in part for the expenses of such detail, the President is authorized, when he deems it in the public interest, to accept such advances of funds, and the amounts so received may be established as a trust fund, to be available for the purpose and under the provisions of this Act until the termination of the detail; any unexpended balance of the trust fund to be returned to the foreign government making the advance."

Approved, May 3, 1939.

# [CHAPTER 113]

## JOINT RESOLUTION

Making supplemental appropriations for printing and binding and stationery for the Treasury Department for the fiscal year ending June 30, 1939.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Treasury Department for the fiscal year ending June 30, 1939, namely:

Printing and binding, Treasury Department: For an additional amount for printing and binding, Treasury Department, fiscal year 1939, including the same objects specified under this head in the Treasury Department Appropriation Act, 1939, \$163,000.

44 Stat. 565; 49 Stat. 218.  
34 U. S. C. § 441a; Supp. IV, § 441a.  
Maximum period.

*Propisos.*  
Extensions.

Status.

Additional compensation.

Travel expenses.  
Monthly allowances.

Funds available for payment of additional compensation, etc.

Acceptance of reimbursement for expenses.

Credit of amount so received.

Acceptance of advances of funds.

May 6, 1939  
[H. J. Res. 279]  
[Pub. Res., No. 13]

Treasury Department.  
Supplemental appropriations, fiscal year 1939.

Printing and binding.

52 Stat. 123.

Stationery.

Stationery, Treasury Department: For an additional amount for stationery for the Treasury Department, fiscal year 1939, including the same objects specified under this head in the Treasury Department Appropriation Act, 1939, \$113,400.

52 Stat. 123.

Approved, May 6, 1939.

## [CHAPTER 114]

## AN ACT

May 6, 1939

[S. 1034]

[Public, No. 64]

To authorize the Secretary of War to terminate certain leases of the Long Island Railroad Company.

Long Island Railroad Company.  
Termination of certain leases authorized.

Terms and conditions.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized to terminate the leases between the Long Island Railroad Company and the Secretary of War dated May 7, 1926, and November 1, 1926, of property described therein as the United States Army Base, Bay Ridge, Brooklyn, New York, upon the railroad company placing the railroad tracks and facilities located on the premises covered by these leases in good and safe operating condition, giving all title to the railroad company's freight station, railroad tracks, and facilities to the United States now on the said premises, and paying in addition six months' rental, at the going rate, from the time of the termination of the leases as the consideration for the termination thereof.

Approved, May 6, 1939.

## [CHAPTER 115]

## AN ACT

May 6, 1939

[H. R. 4492]

[Public, No. 65]

Making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1940, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## TITLE I—TREASURY DEPARTMENT

Treasury Department Appropriation Act 1940.

That the following sums are appropriated out of any money in the Treasury not otherwise appropriated, for the Treasury Department for the fiscal year ending June 30, 1940, namely:

## OFFICE OF THE SECRETARY

Salaries.

Experts.

*Provides.*  
Salaries limited to average rates under Classification Act; exceptions.  
5 U. S. C. §§ 661-674; Supp. IV, §§ 673, 673c.

Advances in meritorious cases.

Salaries: Secretary of the Treasury, Under Secretary of the Treasury, three Assistant Secretaries of the Treasury, and other personal services in the District of Columbia, including the temporary employment of experts, \$235,860: *Provided*, That in expending appropriations or portions of appropriations contained in this Act for the payment of personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, with the exception of the Assistant Secretaries of the Treasury and the Assistant Postmasters General, the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the com-

pensation rates of the grade, but not more often than once in any fiscal year, and then only to the next higher rate: *Provided further*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, (2) to require the reduction in salary of any person whose compensation was fixed, as of July 1, 1924, in accordance with the rules of section 6 of such Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

Old-age reserve account, Social Security Act: For an amount sufficient as an annual premium for the payments required under title II of the Social Security Act, approved August 14, 1935 (42 U. S. C. 401), and authorized to be appropriated to the old-age reserve account established under section 201 (a) of the Act, \$580,000,000, of which \$30,000,000 shall be available immediately: *Provided*, That such amount shall be available until expended for making payments required under the Act, and the amounts not required for current payments shall be invested in accordance with the provisions of such Act.

Payments to Federal land banks on account of reductions in interest rate on mortgages: To enable the Secretary of the Treasury to pay each Federal land bank such amount as the Land Bank Commissioner certifies to the Secretary of the Treasury is equal to the amount by which interest payments on mortgages held by such land bank have been reduced during the fiscal year 1940, and prior thereto, in accordance with the provisions of paragraph "Twelfth" of section 12 of the Federal Farm Loan Act (12 U. S. C. 771), as amended, \$29,700,000.

Payments to the Federal Farm Mortgage Corporation on account of reductions in interest rate on mortgages: To enable the Secretary of the Treasury to pay to the Federal Farm Mortgage Corporation such amount as the Governor of the Farm Credit Administration certifies to the Secretary of the Treasury is equal to the amount by which interest payments on mortgages held by such Corporation have been reduced during the fiscal year 1940, in accordance with the provisions of section 32 of the Emergency Farm Mortgage Act of 1933, approved May 12, 1933 (12 U. S. C. 1016), as amended, such payments to be made quarterly, beginning as soon as practicable after October 1, 1939, \$7,425,000.

Advances to Railroad Unemployment Insurance Account: To enable the Secretary of the Treasury to advance to the Railroad Unemployment Insurance Account, pursuant to Section 10 (d) of the Act of June 25, 1938 (52 Stat. 1104), such sums as the Railroad Retirement Board shall request for the purpose of paying benefits, \$23,750,000, to be immediately available.

#### DIVISION OF RESEARCH AND STATISTICS

Salaries: For personal services in the District of Columbia, \$170,000.

#### OFFICE OF GENERAL COUNSEL

Salaries: For the General Counsel and other personal services in the District of Columbia, \$135,420.

Not applicable to clerical-mechanical service.

No reduction in fixed salaries.

5 U. S. C. § 666.  
Transfers without reduction.

Higher salary rates permitted.

If only one position in a grade.

Old-age reserve account, Social Security Act.  
49 Stat. 622.  
42 U. S. C., Supp. IV, § 401.

*Proviso.*  
Availability, etc.

Payments to Federal land banks on account of reductions in interest rate on mortgages.

48 Stat. 43.  
12 U. S. C., § 771;  
Supp. IV, § 771.

Payments to Federal Farm Mortgage Corporation on account of reductions in interest rate on mortgages.

48 Stat. 48.  
12 U. S. C., § 1016;  
Supp. IV, § 1016.

Railroad Unemployment Insurance Account, advances to.

52 Stat. 1104.  
45 U. S. C., Supp. IV, § 360.

Salaries.

Salaries.



## OFFICE OF CHIEF CLERK

Salaries.

Salaries: For the Chief Clerk and other personal services in the District of Columbia, \$146,660.

## MISCELLANEOUS AND CONTINGENT EXPENSES, TREASURY DEPARTMENT

Department contin-  
gent, etc., expenses.

Operating expenses,  
Department build-  
ings.  
Books, periodicals,  
etc.

Traveling expenses.

Vehicles.

Fuel, light, power,  
etc.

Furniture, etc.

Streetcar fares.

Sales of lands and  
other property.

R. S. §§ 3749, 3750.  
40 U. S. C. §§ 301,  
302.

*Provisos.*  
Additional funds.  
*Post*, pp. 658, 660,  
662, 657.

37 Stat. 414.  
31 U. S. C. § 669.  
Minor purchases  
without advertising.  
R. S. § 3709.  
41 U. S. C. § 5.

For miscellaneous and contingent expenses of the office of the Secretary and the bureaus and offices of the Department, including operating expenses of the Treasury, Treasury Annex, Auditors', and Liberty Loan Buildings; newspaper clippings, financial journals, books of reference, law books, technical and scientific books, newspapers, and periodicals, expenses incurred in completing imperfect series, library cards, supplies, and all other necessary expenses connected with the library; not exceeding \$5,000 for traveling expenses, including the payment of actual transportation and subsistence expenses to any person whom the Secretary of the Treasury may from time to time invite to the city of Washington or elsewhere for conference and advisory purposes in furthering the work of the Department; freight, expressage, telegraph and telephone service; purchase and exchange of motortrucks and one passenger automobile (at a cost not exceeding \$1,800) for the Secretary of the Treasury, and maintenance and repair of motortrucks and three passenger automobiles (one for the Secretary of the Treasury and two for general use of the Department), all to be used for official purposes only; file holders and cases; fuel, oils, grease, and heating supplies and equipment; gas and electricity for lighting, heating, and power purposes, including material, fixtures, and equipment therefor; purchase, exchange, and repair of typewriters and labor-saving machines and equipment and supplies for same; floor covering and repairs thereto; furniture and office equipment, including supplies therefor and repairs thereto; awnings, window shades, and fixtures; cleaning supplies and equipment; drafting equipment; flags; hand trucks, ladders; miscellaneous hardware; streetcar fares not exceeding \$750; thermometers; lavatory equipment and supplies; tools and sharpening same; laundry service; laboratory supplies and equipment, removal of rubbish; postage; custody, care, protection, and expenses of sales of lands and other property of the United States, acquired and held under sections 3749 and 3750 of the Revised Statutes (40 U. S. C. 301, 302), the examination of titles, recording of deeds, advertising, and auctioneers' fees in connection therewith; and other absolutely necessary articles, supplies, and equipment not otherwise provided for; \$220,000: *Provided*, That the appropriations for the Public Debt Service, Internal Revenue Service, Federal Alcohol Administration, and Division of Disbursement for the fiscal year 1940 are hereby made available for the payment of items otherwise properly chargeable to this appropriation, the provisions of section 6, Act of August 23, 1912 (31 U. S. C. 669), to the contrary notwithstanding: *Provided further*, That section 3709 of the Revised Statutes (41 U. S. C. 5) shall not be construed to apply to any purchase or service rendered for the Treasury Department when the aggregate amount involved does not exceed the sum of \$50.

## CUSTODY OF TREASURY BUILDINGS

Operating force,  
salaries.

Salaries of operating force: For the Superintendent of Treasury Buildings and for other personal services in the District of Columbia, including the operating force of the Treasury Building, the Treasury Annex, the Liberty Loan Building, the Auditors' Building, and of

other buildings under the control of the Treasury Department, except the buildings of the Bureau of Engraving and Printing, \$320,000.

Salaries and expenses, guard force: For salaries and expenses of the guard force for Treasury Department buildings in the District of Columbia, including the Bureau of Engraving and Printing, including not to exceed \$4,000 for purchase, repair, and cleaning of uniforms, and for the purchase of arms and ammunition and miscellaneous equipment, \$279,500: *Provided*, That this appropriation may be reimbursed in an amount not exceeding \$40,000, for service rendered in the Bureau of Engraving and Printing in connection with the protection of currency, bonds, stamps, and other papers of value the cost of producing which is not covered and embraced in the direct appropriations for such Bureau: *Provided further*, That the Secretary of the Treasury may detail an agent of the Secret Service to supervise such force.

Guard force, salaries and expenses.

*Provisos.*  
Reimbursement for designated service.

Secret Service supervisor.

#### DIVISION OF PRINTING

Salaries: For the Chief, Division of Printing, and other personal services in the District of Columbia, \$70,060.

Salaries.

Printing and binding: For printing and binding for the Treasury Department, including all of its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, except the Bureau of Internal Revenue, and including materials for the use of the bookbinder, located in the Treasury Department, but not including work done at the New York Customhouse bindery authorized by the Joint Committee on Printing in accordance with the Act of March 1, 1919 (44 U. S. C. 111), and for the cost of transportation to field offices of printed and bound material, including cost of necessary packing boxes and packing materials, \$473,000.

Printing and binding.

Work excluded.

40 Stat. 1270.  
44 U. S. C. § 111.

Stationery: For stationery for the Treasury Department and its several bureaus and offices, and field services thereof, including tags, labels, and index cards, printed in the course of manufacturing, packing boxes and other materials necessary for shipping stationery supplies, and cost of transportation of stationery supplies purchased free on board point of shipment and of such supplies shipped from Washington to field offices, \$610,000.

Stationery.

#### OFFICE OF COMMISSIONER OF ACCOUNTS AND DEPOSITS

Salaries: For Commissioner of Accounts and Deposits and other personal services in the District of Columbia, including the Division of Bookkeeping and Warrants, \$356,180.

Salaries.

Division of Disbursement, salaries and expenses: For personal services in the District of Columbia and in the field, stationery, travel, rental of equipment, and all other necessary miscellaneous and contingent expenses, \$1,400,000: *Provided*, That with the approval of the Director of the Bureau of the Budget there may be transferred to this appropriation from funds available for the Agricultural Adjustment Administration, Federal Housing Administration, United States Housing Authority, Federal Surplus Commodities Corporation, Federal Prison Industries, Railroad Retirement Board, Social Security Board, United States Maritime Commission, and the Federal Crop Insurance Corporation, such sums as may be necessary to cover the expense incurred in performing the function of disbursement therefor.

Division of Disbursement. Salaries and expenses.

*Proviso.*  
Transfer of funds from designated agencies.

Contingent expenses, public moneys: For contingent expenses under the requirements of section 3653 of the Revised Statutes (31 U. S. C. 545), for the collection, safekeeping, transfer, and disburse-

Contingent expenses, public moneys.  
R. S. § 3653.  
31 U. S. C. § 545.

Examination of depositories.

R. S. § 3649.  
31 U. S. C. § 548.

Recoinage of minor coins.

Recoinage of silver coins.

Relief of the indigent, Alaska.

Refund of moneys erroneously received and covered.

48 Stat. 1231.  
31 U. S. C. § 725q.

Government losses in shipment (Revolving Fund).

50 Stat. 479.  
5 U. S. C., Supp. IV, § 134a.

Payment of unclaimed moneys.

48 Stat. 1230.  
31 U. S. C. § 725p.

Salaries and expenses.

Reference books, etc.

ment of the public money, transportation of notes, bonds, and other securities of the United States, transportation of gold coin, gold bullion, and gold certificates transferred to Federal Reserve banks and branches, United States mints and assay offices, and the Treasury, after March 9, 1933, actual expenses of examiners detailed to examine the books, accounts, and money on hand at the several depositories, including national banks acting as depositories under the requirements of section 3649 of the Revised Statutes (31 U. S. C. 548), also including examinations of cash accounts at mints, \$150,000.

**Recoinage of minor coins:** To enable the Secretary of the Treasury to continue the recoinage of worn and uncurrent minor coins of the United States now in the Treasury or hereafter received, and to reimburse the Treasurer of the United States for the difference between the nominal or face value of such coins and the amount the same will produce in new coins, \$25,000.

**Recoinage of silver coins:** To enable the Secretary of the Treasury to continue the recoinage of worn and uncurrent subsidiary silver coins of the United States now in the Treasury or hereafter received, and to reimburse the Treasurer of the United States for the difference between the nominal or face value of such coins and the amount the same will produce in new coins, \$475,000.

**Relief of the indigent, Alaska:** For the payment to the United States district judges in Alaska but not to exceed 10 per centum of the receipts from licenses collected outside of incorporated towns in Alaska, to be expended for the relief of persons in Alaska who are indigent and incapacitated through nonage, old age, sickness, or accident, \$20,000.

**Refund of moneys erroneously received and covered:** To enable the Secretary of the Treasury to meet any expenditures of the character formerly chargeable to the appropriation accounts abolished under section 18 of the Permanent Appropriation Repeal Act of 1934, approved June 26, 1934, and any other collections erroneously received and covered which are not properly chargeable to any other appropriation, \$35,000.

**Fund for Payment of Government Losses in Shipment (Revolving Fund):** For an additional amount for the revolving fund for payment of Government losses in shipment, created in accordance with the provisions of section 2 of the Government Losses in Shipment Act, approved July 8, 1937 (50 Stat. 479-484), including not to exceed \$1,000 for expenses other than personal services, incurred in the defense, safeguard, or recovery of valuables, or the value thereof, replacement of which shall have been made out of the fund, or for which a claim for replacement shall have been made, \$1,000.

**Payment of unclaimed moneys:** To enable the Secretary of the Treasury to meet any expenditures of the character formerly chargeable to the appropriation accounts abolished under section 17 of the Permanent Appropriation Repeal Act of 1934, approved June 26, 1934, payable from the funds held by the United States in the trust fund receipt account "Unclaimed moneys of individuals whose whereabouts are unknown", \$15,000.

#### PUBLIC DEBT SERVICE

**Salaries and expenses:** For necessary expenses connected with the administration of any public-debt issues and United States paper-currency issues with which the Secretary of the Treasury is charged, including the purchase of law books, directories, books of reference, pamphlets, periodicals, and newspapers, and the maintenance, operation, and repair of a motor-propelled bus or station wagon for use

of the Destruction Committee, and including the Commissioner of the Public Debt and other personal services in the District of Columbia, \$2,348,000: *Provided*, That the amount to be expended for personal services in the District of Columbia shall not exceed \$2,319,500.

Expenses of loans: The indefinite appropriation "Expenses of loans, Act of September 24, 1917, as amended and extended" (31 U. S. C. 760, 761), shall not be used during the fiscal year 1940 to supplement the appropriation herein made for the current work of the Public Debt Service, and the amount obligated under such indefinite appropriation during such fiscal year shall not exceed \$3,595,000.

Distinctive paper for United States securities: For distinctive paper for United States currency and Federal Reserve bank currency, including transportation of paper, traveling, mill, and other necessary expenses, and salaries of employees and allowance, in lieu of expenses, of officer or officers detailed from the Treasury Department, not exceeding \$50 per month each when actually on duty; in all, \$851,470: *Provided*, That in order to foster competition in the manufacture of distinctive paper for United States securities, the Secretary of the Treasury is authorized, in his discretion, to split the award for such paper for the fiscal year 1940 between the two bidders whose prices per pound are the lowest received after advertisement.

#### DIVISION OF APPOINTMENTS

Salaries: For the Chief of the Division, and other personal services in the District of Columbia, \$44,700.

#### BUREAU OF CUSTOMS

Salaries and expenses: For collecting the revenue from customs, for the detection and prevention of frauds upon the customs revenue, and not to exceed \$100,000 for the securing of evidence of violations of the customs laws; for expenses of transportation and transfer of customs receipts from points where there are no Government depositories; not to exceed \$84,500 for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (5 U. S. C. 118a), but not to exceed \$1,700 for any one person; not to exceed \$500 for subscriptions to newspapers; not to exceed \$2,000 for improving, repairing, maintaining, or preserving buildings, inspection stations, office quarters, including living quarters for officers, sheds, and sites along the Canadian and Mexican borders acquired under authority of the Act of June 26, 1930 (19 U. S. C. 68); and including the purchase (not to exceed \$87,500), exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles when necessary for official use in field work; \$21,204,600, of which such amount as may be necessary shall be available for the payment of extra compensation earned by customs officers or employees for overtime services, at the expense of the parties in interest, in accordance with the provisions of section 5 of the Act approved February 13, 1911, as amended by the Act approved February 7, 1920, and section 451 of the Tariff Act, 1930 (19 U. S. C. 261, 267, and 1451): *Provided*, That the receipts from such parties in interest for such overtime services shall be deposited as a refund to the appropriation from which such overtime compensation is paid, in accordance with the provisions of section 524 of the Tariff Act of 1930 (19 U. S. C. 1524); for the cost of seizure, storage, and disposition of any merchandise, vehicle and team, automobile, boat, air or water craft, or any other conveyance seized under the provisions of the customs laws, for the purchase of arms, ammunition, and accesso-

Personal services.

*Proviso.*  
Limitation.

Expenses of loans,  
restriction.  
31 U. S. C. §§ 760,  
761.

Distinctive paper  
for U. S. securities.

*Proviso.*  
Division of award.

Salaries.

Salaries and ex-  
penses.

Transfer of receipts  
from points lacking  
Government deposi-  
tories.  
Living quarters.  
46 Stat. 818.  
5 U. S. C. § 118a.

Quarters along bor-  
ders.  
46 Stat. 817.  
19 U. S. C. § 68.  
Vehicles.

Overtime service at  
expense of parties in  
interest.

36 Stat. 901; 41  
Stat. 402; 46 Stat. 715.  
19 U. S. C. §§ 261,  
267, 1451; Supp. IV,  
§ 1451.

*Provisos.*  
Deposit of receipts  
as refund to appropri-  
ation.  
46 Stat. 741.  
19 U. S. C. § 1524;  
Supp. IV, § 1454.  
Cost of seizure, etc.,  
under customs laws.

Details to D. C.  
from field force.

46 Stat. 741.  
19 U. S. C. § 1525.  
Vehicle restriction.

Advance payments  
in foreign countries.  
R. S. § 3648.  
31 U. S. C. § 529;  
Supp. IV, § 529b.  
Refunds and draw-  
backs.

ries, and \$493,360 shall be available for personal services in the District of Columbia exclusive of ten persons from the field force authorized to be detailed under section 525 of the Tariff Act of 1930: *Provided*, That no part of this appropriation shall be expended for maintenance or repair of motor-propelled passenger-carrying vehicles for use in the District of Columbia except one for use in connection with the work of the customhouse in Georgetown: *Provided further*, That hereafter section 3648 of the Revised Statutes (31 U. S. C. 529b) shall not apply to payments made for the Bureau of Customs in foreign countries.

Refunds and drawbacks: For the refund or payment of customs collections or receipts, and for the payment of debentures or drawbacks, bounties, and allowances, as authorized by law, \$17,000,000.

#### BUREAU OF THE BUDGET

Salaries and ex-  
penses.

Reference books.

Automobiles.

Temporary employ-  
ment.  
R. S. § 3709.  
41 U. S. C. § 5.  
5 U. S. C. §§ 661-674;  
Supp. IV, §§ 673, 673c.

Printing and bind-  
ing.

Salaries and expenses: For every expenditure requisite for and incident to the work of the Bureau of the Budget, including personal services in the District of Columbia and elsewhere, contract stenographic reporting services, traveling expenses, including expenses of attendance at meetings when necessary in furthering the work of the Bureau of the Budget, streetcar fares, law books, books of reference, periodicals, office equipment and supplies, maintenance, repair and operation of passenger-carrying automobiles for official use, and not to exceed \$5,000 for temporary employment of persons or organizations by contract or otherwise without regard to section 3709 of the Revised Statutes, or the civil-service laws, or the Classification Act of 1923, as amended, \$479,280.

For printing and binding, \$40,000; and not to exceed \$4,000 of the appropriation for salaries and expenses, Bureau of the Budget, fiscal year 1939, may be transferred to the appropriation for printing and binding, Bureau of the Budget, fiscal year 1939.

#### OFFICE OF TREASURER OF THE UNITED STATES

Salaries.

Redeeming Federal  
Reserve and national  
currency.

Salaries: For Treasurer of the United States, Assistant Treasurer, and for other personal services in the District of Columbia, \$1,209,000.

Salaries (Reimbursable): For personal services in the District of Columbia, in redeeming Federal Reserve and national currency, \$69,000, to be reimbursed by the Federal Reserve and national banks.

#### OFFICE OF THE COMPTROLLER OF THE CURRENCY

Salaries.

Salaries: Comptroller of the Currency and other personal services in the District of Columbia, \$248,000.

#### BUREAU OF INTERNAL REVENUE

Salaries and ex-  
penses.

Commissioner, As-  
sistant General Coun-  
sel, and other per-  
sonal services.

Salaries and expenses: For salaries and expenses in connection with the assessment and collection of internal-revenue taxes and the administration of the internal-revenue laws, including the administration of such provisions of other laws as are authorized by or pursuant to law to be administered by or under the direction of the Commissioner of Internal Revenue; including the Commissioner of Internal Revenue, Assistant General Counsel for the Bureau of Internal Revenue, an assistant to the Commissioner, a special deputy commissioner, five deputy commissioners, one stamp agent (to be reimbursed by the stamp manufacturers), and the necessary officers, collectors, deputy collectors, attorneys, experts, agents, accountants, inspectors, investigators, chemists, supervisors, storekeeper-gaugers, guards, clerks, janitors, and messengers in the District of Columbia, the several col-

lection districts, the several divisions of internal-revenue agents and the several supervisory districts, to be appointed as provided by law; the securing of evidence of violations of the Acts, the cost of chemical analyses made by others than employees of the United States and expenses incident to such chemists testifying when necessary; telegraph and telephone service, rent in the District of Columbia and elsewhere, postage, freight, express, necessary expenses incurred in making investigations in connection with the enrollment or disbarment of practitioners before the Treasury Department in internal-revenue matters, expenses of seizure and sale, and other necessary miscellaneous expenses, including stenographic reporting services; for the acquisition of property under the provisions of title III of the Liquor Law Repeal and Enforcement Act, approved August 27, 1935 (49 Stat. 872-881), and the operation, maintenance, and repair of property acquired under such title III; for the purchase (not to exceed \$25,000), exchange, hire, maintenance, repair, and operation of motor-propelled or horse-drawn passenger-carrying vehicles when necessary, for official use of the Alcohol Tax Unit in field work; printing and binding (not to exceed \$525,000); and the purchase of such supplies, equipment, furniture, mechanical devices, laboratory supplies, law books and books of reference, and such other articles as may be necessary for use in the District of Columbia, the several collection districts, the several divisions of internal-revenue agents, and the several supervisory districts, \$59,877,500, of which amount not to exceed \$10,812,000 may be expended for personal services in the District of Columbia: *Provided*, That no part of this amount shall be used in defraying the expenses of any officer designated above, subpoenaed by the United States court to attend any trial before a United States court or preliminary examination before any United States commissioner, which expenses shall be paid from the appropriation for "Fees of jurors and witnesses, United States courts": *Provided further*, That not more than \$100,000 of the total amount appropriated herein may be expended by the Commissioner of Internal Revenue for detecting and bringing to trial persons guilty of violating the internal-revenue laws or conniving at the same, including payments for information and detection of such violation.

Salaries and administrative expenses for refunding processing and related taxes and administering Title III, Revenue Act of 1936: For salaries and expenses in connection with (1) the assessment and collection of the tax on unjust enrichment imposed by Title III, Revenue Act of 1936, (2) the making of refunds and payments of processing and related taxes, as authorized by Titles IV and VII of the Revenue Act of 1936, and (3) the refund of taxes collected under the Cotton Act of April 21, 1934, as amended (48 Stat. 598), the Tobacco Act of June 28, 1934, as amended (48 Stat. 1275), and the Potato Act of August 24, 1935 (49 Stat. 782), as authorized by the Second Deficiency Appropriation Act, fiscal year 1938, including personal services and rent in the District of Columbia and elsewhere, the hiring of experts, stationery and office supplies, equipment, furniture, mechanical devices, law books and books of reference, trade journals, stenographic reporting service, telegraph and telephone services, postage, freight, express, printing and binding, notarial fees, travel expenses, fees of expert witnesses, and fees and mileage of witnesses, which shall be the same as are paid witnesses in the courts of the United States and may be paid in advance upon certification of such officer as the Commissioner of Internal Revenue or the Secretary of the Treasury may designate, \$3,500,000, of which amount not to exceed \$1,160,000 may be expended for personal services in the District of Columbia.

Securing of evidence of law violations.

Miscellaneous expenses.

Acquisition of property.  
49 Stat. 879.  
40 U. S. C., Supp. IV, § 304f.

Printing and binding.

Supplies, furniture, etc.

Personal services.

*Provisos.*  
Expenses of officers attending trials, etc.

*Post*, p. 905.

Detection and prosecution of violations.

Refund of processing, etc., taxes.  
49 Stat. 1734.  
26 U. S. C., Supp. IV, §§ 345-345e.  
*Post*, p. 1325.

49 Stat. 1739, 1747.  
7 U. S. C., Supp. IV, §§ 641-643; §§ 644-659.

Tax refunds under Cotton, Tobacco, and Potato Acts.  
48 Stat. 598, 1275; 49 Stat. 782.  
52 Stat. 1150.

Printing and binding.  
Witness fees and mileage.

Personal services.

Refunding internal-revenue collections.

45 Stat. 308.

*Proviso.*  
Report to Congress.

45 Stat. 996.  
26 U. S. C. § 1676.

Refunds and payments of processing and related taxes.

49 Stat. 1739, 1747.  
7 U. S. C., Supp. IV, §§ 641-643; §§ 644-659.

48 Stat. 598, 1275; 49 Stat. 782.

52 Stat. 1150.

Redemption of tax stamps.  
Unexpended balance continued available.

52 Stat. 1150.

Alaska railroads, additional income tax.

Refunding internal-revenue collections: For refunding internal-revenue collections, as provided by law, including the payment of claims for the fiscal year 1940 and prior years and accounts arising under "Allowance or draw-back (Internal Revenue)", "Redemption of stamps (Internal Revenue)", "Refunding legacy taxes, Act of March 30, 1928", and "Repayment of taxes on distilled spirits destroyed by casualty", \$38,000,000: *Provided*, That a report shall be made to Congress by internal-revenue districts and alphabetically arranged of all disbursements hereunder in excess of \$500 as required by section 3 of the Act of May 29, 1928 (26 U. S. C. 1676), including the names of all persons and corporations to whom such payments are made, together with the amount paid to each.

Refunds and payments of processing and related taxes: For refunds and payments of processing and related taxes as authorized by Titles IV and VII, Revenue Act of 1936; for refunds of taxes collected (including penalties and interest) under the Cotton Act of April 21, 1934, as amended (48 Stat., p. 598), the Tobacco Act of June 28, 1934, as amended (48 Stat., p. 1275), and the Potato Act of August 24, 1935 (49 Stat., p. 782), in accordance with the Second Deficiency Appropriation Act, fiscal year 1938 (52 Stat. 1150), and as otherwise authorized by law; and for redemption of tax stamps purchased under the aforesaid Tobacco and Potato Acts, there is hereby continued available during the fiscal year 1940 the unexpended balance of the funds made available to the Treasury Department for these purposes for the fiscal year 1939 by the Second Deficiency Appropriation Act, fiscal year 1938.

Additional income tax on railroads in Alaska: For the payment to the Treasurer of Alaska of an amount equal to the tax of 1 per centum collected on the gross annual income of all railroad corporations doing business in Alaska, on business done in Alaska, which tax is in addition to the normal income tax collected from such corporations on net income, and the amount of such additional tax to be applicable to general Territorial purposes, \$19,200.

#### UNITED STATES PROCESSING TAX BOARD OF REVIEW

Salaries and expenses.

49 Stat. 1748.  
7 U. S. C., Supp. IV, § 648.

49 Stat. 1747.  
7 U. S. C., Supp. IV, §§ 644-659.

Printing and binding.

Salaries and expenses: For salaries and expenses of the Board of Review established by section 906 of the Revenue Act of 1936 for review of the disallowance by the Commissioner of Internal Revenue of claims for refund of processing taxes filed under title VII, Revenue Act of 1936, including personal services and rent in the District of Columbia and elsewhere, stationery and office supplies, equipment, furniture, mechanical devices, law books and books of reference, press releases, trade journals, periodicals and newspapers, contract reporting services, telegraph and telephone services, postage, freight, express, printing and binding, notarial fees, travel expenses, and such other miscellaneous expenses as may be authorized or approved by the Secretary of the Treasury for the work of this Board, \$162,500.

#### FEDERAL ALCOHOL ADMINISTRATION

Salaries and expenses.

49 Stat. 977.  
27 U. S. C., Supp. IV, §§ 201-212.

Securing of evidence of violations.

Salaries and expenses: For the purpose of administering the provisions of the "Federal Alcohol Administration Act", approved August 29, 1935 (27 U. S. C. 201), as amended, including personal and other services; supplies and materials; equipment; communication service; stationery; travel and subsistence expenses as authorized by law; maintenance, repair, and operation of automobiles; law books, books of reference, magazines, periodicals, and newspapers; contract stenographic reporting service; the securing of evidence of violations of the Act; and miscellaneous and contingent expenses, \$425,000.

## BUREAU OF NARCOTICS

Salaries and expenses: For expenses to enforce the Act of December 17, 1914 (26 U. S. C. 1383-1391), as amended by the Revenue Act of 1918 (26 U. S. C. 1040-1064), the Narcotic Drugs Import and Export Act, as amended (21 U. S. C. 171-184), and the Marihuana Tax Act of 1937 (26 U. S. C. 1399-1399q); pursuant to the Act of March 3, 1927 (5 U. S. C. 281c), and the Act of June 14, 1930 (5 U. S. C. 282-282c), including the employment of executive officers, attorneys, agents, inspectors, chemists, supervisors, clerks, messengers, and other necessary employees in the field and in the Bureau of Narcotics in the District of Columbia, to be appointed as authorized by law; the securing of information and evidence of violations of the Acts; the costs of chemical analyses made by others than employees of the United States; the transportation of household and other personal effects incident to the change of headquarters of all employees engaged in field activities, not to exceed five thousand pounds in any one case, together with the necessary expenses incident to packing, crating, boxing, and draying same; the purchase of such supplies, equipment, mechanical devices, books, and such other expenditures as may be necessary in the several field offices; cost incurred by officers and employees of the Bureau of Narcotics in the seizure, storage, and disposition of property under the internal-revenue laws when the same is disposed of under section 3460, Revised Statutes (26 U. S. C. 1624); purchase (not to exceed \$10,000), exchange, hire, maintenance, repair, and operation of motor-propelled or horse-drawn passenger-carrying vehicles when necessary for official use in field work; purchase of arms and ammunition, and for rental of necessary quarters in the District of Columbia and elsewhere; in all, \$1,306,700 of which amount not to exceed \$192,000 may be expended for personal services in the District of Columbia: *Provided*, That the Secretary of the Treasury may authorize the use by narcotic agents of motor vehicles confiscated under the provisions of the Act of August 27, 1935 (27 U. S. C. 157), and to pay the cost of acquisition, maintenance, repair, and operation thereof: *Provided further*, That not exceeding \$10,000 may be expended for the collection and dissemination of information and appeal for law observance and law enforcement, including cost of printing, purchase of newspapers, and other necessary expenses in connection therewith and not exceeding \$1,500 for attendance at meetings concerned with the work of the Bureau of Narcotics: *Provided further*, That not exceeding \$10,000 may be expended for services or information looking toward the apprehension of narcotic law violators who are fugitives from justice: *Provided further*, That moneys expended from this appropriation for the purchase of narcotics including marihuana, and subsequently recovered shall be reimbursed to the appropriation for enforcement of the Narcotic Acts current at the time of the deposit.

## COAST GUARD

Office of the Commandant: For personal services in the District of Columbia, \$400,000: *Provided*, That no part of any appropriation contained in this Act shall be used to pay any enlisted man of the Coast Guard while detailed for duty at Coast Guard headquarters if such detail increases the total number of enlisted men detailed on such duty at any time above ten.

For every expenditure requisite for and incident to the authorized work of the Coast Guard, including the expense of maintenance, repair, and operation of vessels forfeited to the United States and delivered to the Treasury Department under the terms of the Act

Salaries and expenses.

38 Stat. 785.  
26 U. S. C. §§ 1383-1391, 1040-1064; Supp. IV, §§ 1383, 1041.  
35 Stat. 614; 42 Stat. 596.  
21 U. S. C. §§ 171-184.  
50 Stat. 551.  
26 U. S. C., Supp. IV, §§ 1399-1399q.  
44 Stat. 1381.  
5 U. S. C. §§ 281-281c.  
46 Stat. 585.  
5 U. S. C. §§ 282-282c.

Transportation of personal effects.

Seizures, etc.

R. S. § 3460.  
26 U. S. C. § 1624.  
Vehicles.

Rent.

Personal services.

*Provisos.*  
Use of confiscated vehicles.  
49 Stat. 874.  
27 U. S. C., Supp. IV, § 157.

Law observance.

Apprehension of narcotic law violators.

Reimbursement for sums expended.

Office of the Commandant.  
*Post*, p. 1326.  
*Proviso.*  
Details at headquarters, restriction.

Service expenditures.



43 Stat. 1116.  
19 U. S. C. §§ 522-524.

Pay and allowances.  
*Post*, p. 1325.

Retired members of former Life Saving Service.

46 Stat. 164.  
14 U. S. C. § 178a.  
Cash prizes.

Death allowances.  
41 Stat. 824.  
34 U. S. C. § 943.

Traveling expenses.

Recruiting.

*Proviso.*  
Increased pay for aerial flights.

Fuel and water.

Outfits, stores, etc.

Station improvements.

Communication lines.

Civilian field employees.

Contingent expenses.  
*Post*, p. 1326.

approved March 3, 1925 (27 U. S. C. 41), maintenance, repair, exchange, and operation of motor-propelled passenger-carrying vehicles, to be used only for official purposes at headquarters and in the field, motion-picture equipment (not to exceed \$30,000) and material for official purposes, and the rental of quarters in the District of Columbia, as follows:

**Pay and allowances:** For pay and allowances prescribed by law for commissioned officers, cadets, warrant officers, petty officers, and other enlisted men, active and retired, temporary cooks, surfmen, substitute surfmen, and three civilian instructors, retired pay for certain members of the former Life Saving Service authorized by the Act approved April 14, 1930 (14 U. S. C. 178a), and not exceeding \$8,000 for cash prizes for men for excellence in boatmanship, gunnery, target practice, and engineering competitions; for carrying out the provisions of the Act of June 4, 1920 (34 U. S. C. 943); not to exceed \$7,500 for cost of special instruction, including maintenance of students; rations or commutation thereof for cadets, petty officers, and other enlisted men, mileage and expenses allowed by law for officers; and traveling expenses of other persons traveling on duty under orders from the Treasury Department, including transportation of cadets, enlisted men, and applicants for enlistment, with subsistence and transfers en route, or cash in lieu thereof; expenses of recruiting for the Coast Guard, rent of rendezvous, and expenses of maintaining the same; advertising for and obtaining men and apprentice seamen and applicants for appointment as cadets; transportation and packing allowances for baggage or household effects of commissioned officers, warrant officers, and enlisted men; and including not to exceed \$23,000 for the recreation, amusement, comfort, contentment, and health of the enlisted men of the Coast Guard, to be expended in the discretion of the Secretary of the Treasury, \$18,445,500: *Provided*, That no part of this appropriation shall be used for increased pay at a rate in excess of \$1,440 per annum to any nonflying commissioned officer or commissioned officer observer for making aerial flights; which rate shall be the legal maximum rate of such increased pay as to any such officer;

**Fuel and water:** For fuel, lubricating oil, kerosene, and water, and for the furnishing of heat, light, and power (service) for vessels, stations, and houses of refuge, \$1,450,000;

**Outfits:** For outfits, including necessary supplies and equipment, medals, newspapers, and periodicals for statistical purposes, rental of mechanical accounting machinery, repairs to portable equipment at shore units, ship chandlery, engineers' stores, and draft animals and their maintenance, \$1,600,000;

**Rebuilding and repairing stations:** For rebuilding and repairing stations and houses of refuge, temporary leases, rent, and improvements of property for Coast Guard purposes, including use of additional land where necessary, \$265,000;

**Communication lines:** For coastal communication lines and facilities and their maintenance, and communication service, \$136,000;

**Civilian employees:** For compensation of civilian employees in the field, including clerks to district commanders and per diem labor, \$206,750;

**Contingent expenses:** For contingent expenses, including subsistence of shipwrecked and destitute persons succored by the Coast Guard, and of prisoners while in the custody of the Coast Guard; instruments, apparatus, and services necessary to the carrying on of scientific investigation, and not exceeding \$4,000 for experimental and research work; care, transportation, and burial of deceased officers and enlisted men, including those who die in Government

hospitals; apprehension of deserters; wharfage, towage, freight, storage, advertising, surveys, entrance fees in matches for the rifle team, and special equipment therefor; and all other necessary expenses which are not included under any other heading, \$85,300;

Repairs to vessels: For repairs to Coast Guard vessels and boats, exclusive of aircraft, including cost of salvage operations when incident to the repairs thereof, \$1,600,000;

For repairs to Coast Guard aircraft, including cost of salvage operations when incident to the repairs thereof, \$525,000;

Additional airplanes: For additional airplanes and their equipment, including radio equipment, spare parts, and accessories, to be constructed or purchased in the discretion of the Secretary of the Treasury, \$477,000, to remain available until June 30, 1941;

No part of the appropriations contained in this Act under the Coast Guard, nor of any appropriation heretofore made, shall be used for the construction for the Coast Guard of any new permanent aviation shore station or for the permanent enlargement of the capacity of any existing aviation shore station, but this limitation shall not apply to expenditures for completion of construction for which funds were made available by the Second Deficiency Appropriation Act, fiscal year 1938;

Interchange of appropriations: Such part of any appropriation for the Coast Guard, contained in this Act, except the appropriations "Pay and allowances", "Civilian employees", and "Salaries, Office of the Commandant", as may be necessary for freight and express charges on materials, supplies, and equipment, may be transferred, with the approval of the Director of the Bureau of the Budget, to the appropriation for contingent expenses of the Coast Guard in order to make such payments;

Total, Coast Guard, exclusive of Office of the Commandant, \$24,790,550: *Provided*, That not more than a total of \$2,200,000 out of the appropriations contained in this Act under the caption "Coast Guard" except the appropriations "Salaries, Office of the Commandant" and "Additional airplanes" may be expended for aviation.

#### BUREAU OF ENGRAVING AND PRINTING

For the work of engraving and printing, exclusive of repay work, during the fiscal year 1940, United States currency and internal-revenue stamps, including opium orders and special-tax stamps required under the Act of December 17, 1914 (26 U. S. C. 1040, 1383), checks, drafts, and miscellaneous work, as follows:

Salaries and expenses: For the Director, two Assistant Directors, and other personal services in the District of Columbia, including wages of rotary press plate printers at per diem rates and all other plate printers at piece rates to be fixed by the Secretary of the Treasury, not to exceed the rates usually paid for such work; for engravers' and printers' materials and other materials, including distinctive and nondistinctive paper, except distinctive paper for United States currency and Federal Reserve bank currency; equipment of, repairs to, and maintenance of buildings and grounds and for minor alterations to buildings; directories, technical books and periodicals, examples of engraving and printing, including foreign securities and stamps, and books of reference, not exceeding \$500; traveling expenses not to exceed \$2,000; miscellaneous expenses, including not to exceed \$1,500 for articles approved by the Secretary of the Treasury as being necessary for the protection of the person of employees; for transfer to the Bureau of Standards for scientific investigations in connection with the work of the Bureau of Engraving and Print-

Rifle matches, entrance fees.

Repairs to vessels.

Aircraft repairs.

Additional airplanes.

Aviation shore stations, etc., restrictions.

Exceptions.

52 Stat. 1151.

Interchange of appropriations.

*Proviso.*  
Aviation expenditure.

Work authorized.

38 Stat. 786.  
26 U. S. C. §§ 1040,  
1383; Supp. IV, § 1383.

Salaries and expenses.

Materials, etc.

Reference books, etc.

Scientific investigations.

Vehicles.

Credit of proceeds  
from work.

24 Stat. 227.  
31 U. S. C. § 176.

ing, not to exceed \$15,000; and for the maintenance and driving of two motor-propelled passenger-carrying vehicles; \$8,450,000, to be expended under the direction of the Secretary of the Treasury.

During the fiscal year 1940 all proceeds derived from work performed by the Bureau of Engraving and Printing, by direction of the Secretary of the Treasury, not covered and embraced in the appropriation for such Bureau for such fiscal year, instead of being covered into the Treasury as miscellaneous receipts, as provided by the Act of August 4, 1886 (31 U. S. C. 176), shall be credited when received to the appropriation for said Bureau for the fiscal year 1940.

#### SECRET SERVICE DIVISION

Salaries.

Suppressing coun-  
terfeiting, etc.

Other crimes.

Vehicles.

Protection of the  
President, etc.

*Proviso.*  
Witness fees.

Securing informa-  
tion concerning viola-  
tions, etc.

White House Po-  
lice.

Uniforms and equip-  
ment.

**Salaries:** For the Chief of the Division and other personal services in the District of Columbia, \$53,460.

**Suppressing counterfeiting and other crimes:** For salaries and other expenses under the authority or with the approval of the Secretary of the Treasury in detecting, arresting, and delivering into the custody of the United States marshal or other officer having jurisdiction, dealers and pretended dealers in counterfeit money, persons engaged in counterfeiting, forging, and altering United States notes, bonds, national-bank notes, Federal Reserve notes, Federal Reserve bank notes, and other obligations and securities of the United States and of foreign governments (including endorsements thereon and assignments thereof), as well as the coins of the United States and of foreign governments, and persons committing other crimes against the laws of the United States relating to the Treasury Department and the several branches of the public service under its control; purchase (not to exceed \$15,000), exchange, hire, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles when necessary; purchase of arms and ammunition; traveling expenses; and for no other purpose whatsoever, except in the performance of the person of the President and the members of his immediate family and of the person chosen to be President of the United States, \$817,500: *Provided*, That no part of the amount herein appropriated shall be used in defraying the expenses of any person subpoenaed by the United States courts to attend any trial before a United States court or preliminary examination before any United States commissioner, which expenses shall be paid from the appropriation for "Fees of witnesses and jurors, United States courts": *Provided further*, That of the amount herein appropriated not to exceed \$15,000 may be expended in the discretion of the Secretary of the Treasury for the purpose of securing information concerning violations of the laws relating to the Treasury Department, and for services or information looking toward the apprehension of criminals.

**White House Police:** Captain, lieutenant, three sergeants, and for fifty-five privates, at rates of pay provided by law; in all, \$146,900.

For uniforming and equipping the White House Police, including the purchase, issue, and repair of revolvers, and the purchase and issue of ammunition and miscellaneous supplies, to be procured in such manner as the President in his discretion may determine, \$3,750.

#### PUBLIC HEALTH SERVICE

Salaries, Office of  
Surgeon General.

Commissioned offi-  
cers, pay, etc.  
*Post*, p. 901.

**Salaries, Office of Surgeon General:** For personal services in the District of Columbia, \$323,340.

**Commissioned officers, pay, and so forth:** For pay, allowance, and commutation of quarters for not to exceed 445 regular active commissioned officers (including the Surgeon General and assistant sur-

geons general) and for pay of regular commissioned officers on waiting orders, \$1,959,800: *Provided*, That the above limitation on the number of regular active commissioned officers may be exceeded by the number (not in excess of twenty) of regular active commissioned officers assigned to Federal penal and correctional institutions.

Acting assistant surgeons, pay: For pay of acting assistant surgeons (noncommissioned medical officers), \$320,000.

Pay of other employees: For pay of all other employees (attendants, and so forth), \$1,000,000.

Freight, transportation, and so forth: For freight, transportation, and traveling expenses, including allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (5 U. S. C. 118a), not to exceed \$5,000 but not to exceed \$1,700 for any one person; the expenses, except membership fees, of officers when officially detailed to attend meetings for the promotion of public health; contract stenographic reporting services; not to exceed \$450 for journals and scientific books, office of the Surgeon General; not to exceed \$1,000 for the preparation of public-health exhibits designed to demonstrate the cause, prevalence, methods of spread, and measures for preventing diseases dangerous to the public health, including personal services and the cost of acquiring, transporting, and displaying exhibit material; and the packing, crating, drayage, and transportation of the personal effects of commissioned officers, scientific personnel, administrative assistants, aides, dietitians, pharmacists, and nurses of the Public Health Service, upon permanent change of station, \$25,000: *Provided*, That funds expendable for transportation and traveling expenses may also be used for preparation for shipment and transportation to their former homes of remains of officers who die in line of duty.

National Institute of Health, maintenance: For maintaining the National Institute of Health, \$125,000.

Pay of personnel and maintenance of hospitals: For medical examinations, including the amount necessary for the medical inspection of aliens, as required by section 16 of the Act of February 5, 1917 (8 U. S. C. 152), medical, surgical, and hospital services and supplies, including prosthetic and orthopedic supplies to be furnished under regulations approved by the Secretary of the Treasury, for beneficiaries (other than patients of the Veterans' Administration) of the Public Health Service and persons detained in hospitals of the Public Health Service under the quarantine or immigration laws and regulations, including necessary personnel and reserve commissioned officers of the Public Health Service, personal services in the District of Columbia and elsewhere, including the furnishing and laundering of white duck coats, trousers, smocks, aprons, and caps to employees whose duties make necessary the wearing of same, maintenance, minor repairs, equipment, leases, fuel, lights, water, freight, transportation and travel, the maintenance, exchange, and operation of motortrucks and passenger motor vehicles for official use in field work (including not to exceed \$3,000 for the purchase of motor-propelled passenger-carrying vehicles) and one for use in connection with the administrative work of the Public Health Service in the District of Columbia, purchase of ambulances, transportation, care, maintenance, and treatment of lepers, including transportation to their homes in the continental United States of recovered indigent leper patients, court costs, and other expenses incident to proceedings heretofore or hereafter taken for commitment of mentally incompetent persons to hospitals for the care and treatment of the insane, and reasonable burial expenses (not exceeding \$100 for any patient

*Proviso.*  
Exceeding limitation on number; restriction.

Acting assistant surgeons, pay.

Pay of other employees.

Freight, transportation, etc.  
Living quarters.

46 Stat. 518.  
5 U. S. C. § 118a.

Public-health exhibits.

Transportation of personal effects.

*Proviso.*  
Transportation of remains of officers.

National Institute of Health.  
*Post*, p. 1304.  
Pay of personnel and maintenance of hospitals.  
Medical examinations, etc.  
39 Stat. 885.  
8 U. S. C. § 152.

Personal services.  
General expenses.

Vehicles.

Lepers, insane, etc.

*Provisos.*  
Use of hospitals at  
Ellis Island Immigra-  
tion Station.

Designated receipts  
to be covered into the  
Treasury.

Uses forbidden.

Quarantine service.

Prevention of epi-  
demics.

Interstate quaran-  
tine service.

Biologic products.  
Regulation of sale of  
viruses, etc.

Division of Venereal  
Diseases, mainte-  
nance.  
40 Stat. 886.  
42 U. S. C. §§ 24, 25.  
52 Stat. 439.  
42 U. S. C., Supp.  
IV, § 25a.

General expenses.

Vehicles.

Attendance at meet-  
ings.

dying in hospital), \$6,719,000: *Provided*, That the Immigration Service shall permit the Public Health Service to use the hospitals at Ellis Island Immigration Station for the care of Public Health Service patients free of expense for physical upkeep, but with a charge of actual cost of fuel, light, water, telephone, and similar supplies and services, to be covered into the proper Immigration Service appropriations; and money collected by the Immigration Service on account of hospital expenses of persons detained in hospitals of the Public Health Service under the immigration laws and regulations shall be covered into the Treasury as miscellaneous receipts: *Provided further*, That no part of this sum shall be used for the quarantine service (except for persons detained in hospitals of the Public Health Service at points where no quarantine hospital facilities are available), the prevention of epidemics, or scientific work of the character provided for under the appropriations which follow.

**Quarantine service:** For maintenance and ordinary expenses, exclusive of pay of officers and employees of United States quarantine stations, including the exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles for official use in field work and not to exceed \$9,500 for the purchase of motor-propelled passenger-carrying vehicles, \$287,980.

**Prevention of epidemics:** To enable the President, in case only of threatened or actual epidemic of infectious or contagious disease, to aid State and local boards or otherwise in his discretion, in preventing and suppressing the spread of the same, and in such emergency in the execution of any quarantine laws which may be then in force, \$305,000, including the purchase of newspapers and clippings from newspapers containing information relating to the prevalence of disease and the public health.

**Interstate quarantine service:** For cooperation with State and municipal health authorities in the prevention of the spread of contagious and infectious diseases in interstate traffic, including the purchase and exchange, not to exceed \$1,000, and maintenance, repair, and operation of passenger-carrying automobiles, \$36,500.

**Biologic products:** To regulate the propagation and sale of viruses, serums, toxins, and analogous products, including arsphenamine, for the preparation of curative and diagnostic biologic products, including personal services of Reserve commissioned officers and other personnel, \$53,000.

**Division of Venereal Diseases:** For the maintenance and expenses of the Division of Venereal Diseases, established by sections 3 and 4, chapter XV, of the Act approved July 9, 1918 (42 U. S. C. 24, 25), and for the purpose of carrying out the provisions of the Act of May 24, 1938 (52 Stat. 439-440), including rent and personnel and other services in the District of Columbia and elsewhere; items otherwise properly chargeable to the appropriations for printing and binding, stationery, and miscellaneous and contingent expenses for the Treasury Department; purchase of reports, documents, and other material for publication and of reprints from State, city, and private publications; purchase (not to exceed \$1,500), maintenance, repair, and operation of passenger-carrying automobiles for official use in field work; transportation; traveling expenses, including attendance at public meetings when directed by the Surgeon General; and the packing, crating, drayage, and transportation of personal effects of commissioned officers, scientific personnel, pharmacists, administrative assistants, aides, dietitians, and nurses of the Public Health Service upon permanent change of station, \$5,000,000.

**Division of Mental Hygiene:** For carrying out the provisions of section 4 of the Act of June 14, 1930 (21 U. S. C. 196, 225); for maintenance and operation of the United States Public Health Service Hospital, Lexington, Kentucky, and the United States Public Health Service Hospital of Fort Worth, Texas, in accordance with the provisions of the Act of January 19, 1929 (21 U. S. C. 221-237), including personal services in the District of Columbia (not to exceed \$39,180) and elsewhere; traveling expenses; firearms and ammunition; necessary supplies and equipment; reimbursement to the working capital fund for articles or services furnished by the industrial activities; subsistence and care of inmates; expenses incurred in pursuing and identifying escaped inmates, including rewards for their capture; expenses of interment or transporting remains of deceased inmates including the remains of persons voluntarily admitted; purchase and exchange of farm products and livestock; law books, books of reference, newspapers, and periodicals; furnishing and laundering of uniforms and other distinctive wearing apparel necessary for employees in the performance of their official duties; transportation when necessary, within continental United States and under regulations approved by the Secretary of the Treasury, of persons voluntarily admitted and discharged as cured; tobacco for inmates; purchase and exchange (not to exceed \$1,250), and maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, \$1,217,700.

**Grants to States for public-health work:** For the purpose of assisting States, counties, health districts, and other political subdivisions of the States in establishing and maintaining adequate public-health services, including the training of personnel for State and local health work, as authorized in sections 601 and 602, title VI, of the Social Security Act, approved August 14, 1935 (49 Stat. 634), \$8,000,000.

**Disease and sanitation investigations:** For carrying out the provisions of section 603 of the Social Security Act, approved August 14, 1935, and section 1 of the Act of August 14, 1912, including rent and personnel and other services in the District of Columbia and elsewhere and items otherwise properly chargeable to the appropriations for printing and binding, stationery, and miscellaneous and contingent expenses for the Treasury Department, the provisions of section 6, Act of August 23, 1912 (31 U. S. C. 669), to the contrary notwithstanding, the packing, crating, drayage, and transportation of the personal effects of commissioned officers, scientific personnel, pharmacists, administrative assistants, aides, dietitians, and nurses of the Public Health Service upon permanent change of station, and including the purchase (not to exceed \$2,500), exchange, maintenance, repair, and operation of passenger-carrying automobiles for official use in field work, \$1,600,000, of which not to exceed \$50,000 shall be available for investigations to determine the possibly harmful effects on human beings of spray insecticides on fruits and vegetables.

**National Cancer Institute:** For carrying into effect the provisions of section 7 (b) of the National Cancer Institute Act, approved August 5, 1937, \$570,000.

#### BUREAU OF THE MINT

##### OFFICE OF DIRECTOR OF THE MINT

**Salaries:** For the Director of the Mint and other personal services in the District of Columbia, \$106,500.

**Transportation of bullion and coin:** For transportation of bullion and coin, by registered mail or otherwise, between mints, assay

Division of Mental Hygiene.  
46 Stat. 586.  
21 U. S. C. §§ 196, 225.  
Lexington, Ky., and Fort Worth, Tex., hospitals.  
45 Stat. 1085.  
21 U. S. C. §§ 221-237.

Vehicles.

Grants to States for public-health work.  
*Post*, p. 1303.

49 Stat. 634.  
42 U. S. C., Supp. IV, §§ 801, 802.  
Disease and sanitation investigations.  
49 Stat. 635.  
42 U. S. C., Supp. IV, § 803.  
37 Stat. 309.  
42 U. S. C. § 1.  
*Post*, p. 1304.

37 Stat. 414.  
31 U. S. C. § 669.

Automobiles.

National Cancer Institute.  
50 Stat. 562.  
42 U. S. C., Supp. IV, § 137 i (b).

Salaries.

Transportation of bullion and coin.

Contingent ex-  
penses, etc.

offices, and bullion depositories, \$215,000, including compensation of temporary employees and other necessary expenses incident thereto.

Contingent expenses and examination of mints: For assay laboratory chemicals, fuel, materials, balances, weights, and other necessities, including books, periodicals, specimens of coins, ores, and incidentals, for rent in the District of Columbia, and for examination of mints, expense in visiting mints for the purpose of superintending the annual settlements, and for special examinations and for the collection of statistics relative to the annual production and consumption of the precious metals in the United States, \$12,000.

Mints and assay  
offices.  
Salaries and ex-  
penses.

Salaries and expenses, mints and assay offices: For compensation of officers and employees of the mints at Philadelphia, Pennsylvania, San Francisco, California, Denver, Colorado, and New Orleans, Louisiana, the assay offices at New York, New York, and Seattle, Washington, and the bullion depositories at Fort Knox, Kentucky, and West Point, New York, including necessary personal services for carrying out the provisions of the Gold Reserve Act of 1934 and the Silver Purchase Act of 1934, and any Executive orders, proclamations and regulations issued thereunder, and for incidental and contingent expenses, including traveling expenses, new machinery, and repairs, arms, and ammunition, uniforms and accessories for guards, protective devices and their maintenance, training of employees in use of firearms and protective devices, purchase (not exceeding \$1,500) of a motor bus, maintenance, repair, and operation of two motor busses for use at the Fort Knox Bullion Depository, cases and enameling for medals manufactured, net wastage in melting and refining and in coining departments, loss on sale of sweeps arising from the treatment of bullion and the manufacture of coins, not to exceed \$500 for the expenses of the annual assay commission, not exceeding \$1,000, for the acquisition, at the dollar face amount or otherwise of specimen and rare coins, including United States and foreign gold coins and pieces of gold used as, or in lieu of, money, and ores, for addition to the Government's collection of such coins, pieces and ores, \$2,016,000.

Expenses, Gold Re-  
serve and Silver Pur-  
chase Acts.  
48 Stat. 337, 1178.  
31 U. S. C. §§ 440-  
446; 448-448c.

Protective devices.  
Motor busses.

Annual assay com-  
mission.  
Acquisition of speci-  
men and rare coins.

Medals to Mrs.  
Richard Aldrich and  
posthumously to Anna  
Boulogny.

Medals to Mrs. Richard Aldrich and posthumously to Anna Boulogny: For carrying out the provisions of the Act entitled "An Act authorizing the President to present gold medals to Mrs. Richard Aldrich and posthumously to Anna Boulogny", approved June 20, 1938 (Private, Numbered 644, Seventy-fifth Congress, third session), \$1,200.

52 Stat. 1365.

#### PROCUREMENT DIVISION—PUBLIC BUILDINGS BRANCH

Maintenance.  
35 Stat. 537.  
31 U. S. C. § 683.

For carrying into effect the provisions of the Public Buildings Acts, as provided in section 6 of the Act of May 30, 1908 (31 U. S. C. 683), and for the repair, preservation, and upkeep of all completed public buildings under the control of the Treasury Department (other than life saving stations of the United States Coast Guard), the mechanical equipment and the grounds thereof, and sites acquired for buildings, and for the operation of certain completed and occupied Treasury buildings, including furniture and repairs thereof, but exclusive, with respect to operation, of buildings of the United States Coast Guard, of hospitals, quarantine stations, and other Public Health Service buildings, mints, bullion depositories, and assay offices, the Treasury, Treasury Annex, Liberty Loan, and Auditors' Buildings:

General administra-  
tive expenses.

General administrative expenses: For architectural, engineering, mechanical, administrative, clerical, and other personal services; traveling expenses, including expenses of employees directed by the Secretary of the Treasury to attend meetings of technical and pro-

professional societies and educational exhibits in connection with subjects related to the work of the Division of Procurement, Public Buildings Branch, and transportation of household goods, incident to change of headquarters of all employees engaged in field activities not to exceed five thousand pounds at any one time, together with the necessary expenses incident to packing and draying same; advertising, not exceeding \$1,000 for expenses of educational exhibits, specifically approved by the Secretary of the Treasury, testing instruments, law books, books of reference, technical periodicals and journals, drafting materials, especially prepared paper, typewriting machines, adding machines, and other mechanical labor-saving devices, and exchange of same, carpets, electric-light fixtures, furniture, equipment, and repairs thereto, telegraph and telephone service, freight, expressage, and postage incident to the transportation of drawings to and from the office and such other contingencies, articles, services, or supplies as the Secretary of the Treasury may deem necessary and specially order or approve in connection with any of the work of the Procurement Division, Public Buildings Branch; rent in the District of Columbia and elsewhere, including ground rent of the Federal buildings at Salamanca, New York, and Columbus, Mississippi, for which payment may be made in advance, and including such expenses necessary to wind up the affairs of the United States Housing Corporation and effect its dissolution; \$930,000, of which amount not to exceed \$509,000 may be expended for personal services in the District of Columbia and not to exceed \$286,000 for personal services in the field: *Provided*, That the foregoing appropriations shall not be available for the cost of surveys, plaster models, progress photographs, test pits and borings, or mill and shop inspections, but the cost thereof shall be construed to be chargeable against the construction appropriations of the respective projects to which they relate: *Provided further*, That no expenditures shall be made hereunder for transportation of operating supplies for public buildings: *And provided further*, That in no case shall the rates of compensation for the mechanical labor force in the field under this appropriation be in excess of the rates current at the time and in the place where such services are employed.

Repair, preservation, and equipment, public buildings: For repairs, alterations, improvement, and preservation of completed Federal buildings (including Marcus Hook), the grounds and approaches thereof, wharves, and piers, together with the necessary dredging adjacent thereto, and care and safeguarding, not otherwise provided for, of sites acquired for Federal buildings, including tools and materials for the use of the custodial and mechanical force, wire partitions and insect screens, installation and repair of mechanical equipment, gas, and electric-light fixtures, conduits, wiring, platform scales, and tower clocks; vaults and lockbox equipment in all buildings completed and occupied, and for necessary safe equipments in buildings under the administration of the Treasury Department, including repairs thereto, and changes in, maintenance of, and repairs to the pneumatic-tube system in New York City installed under franchise of the city of New York, approved June 29, 1909, and June 11, 1928, and the payment of any obligations arising thereunder in accordance with the provisions of the Acts approved August 5, 1909 (36 Stat. 120), and May 15, 1928 (45 Stat. 533), \$2,750,000: *Provided*, That the appropriation herein made shall not be available for the payment of personal services, except for work done under contract, or for temporary job labor under exigency in an amount not to exceed \$100 at one time at any one building: *Provided further*, That the total expenditures for the fiscal year for the repair and preservation of buildings

Salamanca, N. Y., and Columbus, Miss., ground rent.

U. S. Housing Corporation, dissolution.

Personal services.

*Provides*.  
Cost of surveys, models, etc.

Transportation of operating supplies.

Pay rates, mechanical labor force.

Repair, preservation, and equipment, public buildings.

Pneumatic-tube system, New York City.

36 Stat. 120; 45 Stat. 533.

*Provides*.  
Personal services, restriction.

Limitation on amounts for repair, etc.



not reserved by the vendors on sites acquired for buildings or the enlargement of buildings and the installation and repair of the mechanical equipment thereof shall not exceed 20 per centum of the annual rental of such buildings.

Operating force for public buildings.

Operating force for public buildings: For personal services, including also telephone operators for the operation of telephone switchboards or equivalent telephone switching equipment jointly serving in each case two or more governmental activities, \$1,650,000: *Provided*, That in no case shall the rates of compensation for the mechanical labor force under this appropriation be in excess of the rates current at the time and in the place where such services are employed.

*Proviso.*  
Wage rates.

Furniture, etc.

Furniture and repairs of furniture, public buildings: For furniture, carpets, and repairs of same, for certain completed and occupied Treasury buildings, and for public buildings in course of construction which are to be operated by the Public Buildings Branch, \$60,000: *Provided*, That the foregoing appropriation shall not be used for personal services except for work done under contract or for temporary job labor under exigency and not exceeding at one time the sum of \$100 at any one building: *Provided further*, That all furniture now owned by the United States in other public buildings or in buildings rented by the United States shall be used, so far as practicable, whether it corresponds with the present regulation plan for furniture or not.

*Provisos.*  
Personal services, restriction.

Use of present furniture.

Operating supplies.  
Fuel, light, power, etc.

Operating supplies, public buildings: For fuel, steam, gas for lighting and heating purposes, water, ice, lighting supplies, electric current for lighting, heating, and power purposes, telephone service for custodial forces; removal of ashes and rubbish, snow, and ice; cutting grass and weeds, washing towels, and miscellaneous items for use of the custodial forces in the care and maintenance of such public buildings, the grounds thereof, and the equipment and furnishings therein; temporary job labor under exigency not exceeding at one time the sum of \$100 at any one building; miscellaneous supplies, tools, and appliances required in the operation (not embracing repairs) of the mechanical equipment, including heating, plumbing, hoisting, gas piping, ventilating, vacuum-cleaning, air-conditioning and refrigerating apparatus, electric-light plants, meters, interior pneumatic tube and intercommunicating telephone systems, conduit wiring, call bell and signal systems in such buildings, and for the transportation of articles or supplies, authorized herein, \$510,000: *Provided*, That this appropriation shall be available for contracts for telephone switchboards or equivalent telephone-switching equipment jointly serving in each case two or more governmental activities in buildings under the Treasury Department where it is found that joint service is economical and in the interest of the Government, and any Government activity receiving such service shall pay promptly by check upon the written request of the Director of Procurement, either in advance or after the service has been furnished, for deposit to the credit of this appropriation, all or part of the estimated or actual cost thereof, as the case may be, and proper adjustments upon the basis of the actual cost shall be made for service paid for in advance.

*Proviso.*  
Contracts for telephone switchboards, etc.

Payment for service.

Construction outside D. C.  
*Post*, p. 1305.

Construction of public buildings outside of the District of Columbia: For continuation of construction of, and acquisition of sites for, public buildings outside of the District of Columbia, including the purposes and objects, and subject to the limitations, specified under this head in the Third Deficiency Appropriation Act, fiscal year 1937, and also including those increases in the limits of cost of certain authorized projects, twenty-five in number, as specified in House Document Numbered 177, Seventy-sixth Congress, \$30,000,000:

50 Stat. 773.

*Provided*, That the provisions of section 322 of the Act of June 30, 1932 (47 Stat. 412), shall not apply with respect to the rental of temporary quarters for housing Federal activities during the replacement or remodeling of buildings authorized under this or previous Acts.

*Proviso.*  
Rental of temporary quarters.  
47 Stat. 412.  
40 U. S. C. § 40a.

**Social Security Board and Railroad Retirement Board Buildings:** For continuation of the acquisition of the necessary land and the construction of buildings for the Social Security Board and the Railroad Retirement Board, \$8,000,000.

Social Security Board and Railroad Retirement Board Buildings, site and construction.

**War Department Building:** For continuation of the acquisition of land as a site for buildings for the War Department, and for continuation of the construction of the first building unit, \$5,000,000.

War Department Building, site and construction.

**Government Printing Office, annex buildings, Washington, District of Columbia:** For completion of construction of annex buildings for the Government Printing Office, \$2,800,000.

Government Printing Office, completion of annex buildings.

**Payment of claims for relief of contractors, Act of June 16, 1934:** To enable the Secretary of the Treasury to make payment of claims settled and certified by the Comptroller General of the United States under the provisions of the Act entitled "An Act to provide relief to Government contractors whose costs of performance were increased as a result of compliance with the Act approved June 16, 1933, and for other purposes", approved June 16, 1934 (41 U. S. C. 28), not to exceed \$300,000 of the unexpended balance of the appropriation available for this purpose for the fiscal year 1939 is continued available until June 30, 1940.

Relief of Government contractors.  
Losses due to compliance with codes.

48 Stat. 974.  
41 U. S. C. § 28.  
Unexpended balance, amount continued available.

#### PROCUREMENT DIVISION—BRANCH OF SUPPLY

**Salaries and expenses:** For the Director of Procurement and other personal services in the District of Columbia and in the field service, and for miscellaneous expenses, including office supplies and materials, purchase and exchange of motortrucks and maintenance thereof, telegrams, telephone service, traveling expenses, office equipment, fuel, light, electric current, and other expenses for carrying into effect regulations governing the procurement, warehousing, and distribution by the Procurement Division of the Treasury Department of property, equipment, stores, and supplies in the District of Columbia and in the field (including not to exceed \$500 to settle claims for damages caused to private property by motor vehicles used by the Procurement Division), \$460,000: *Provided*, That the Secretary of the Treasury is authorized and directed during the fiscal year 1940 to transfer to this appropriation from any appropriations or funds available to the several departments and establishments of the Government such amounts as may be approved by the Director of the Bureau of the Budget, not to exceed the amount of the annual compensation of employees heretofore or hereafter transferred or detailed to the Procurement Division, Branch of Supply, respectively, from any such department or establishment, where the transfer or detail of such employees was or will be incident to a transfer of a function or functions to that Division: *Provided further*, That payments during the fiscal year 1940 to the general supply fund for materials, supplies (including fuel), and services, and overhead expenses, for all issues shall be made on the books of the Treasury Department by transfer and counter-warrants prepared by the Procurement Division of the Treasury Department and countersigned by the Comptroller General, such warrants to be based solely on itemized invoices prepared by the Procurement Division at issue prices to be fixed by

Salaries and expenses.  
*Post*, p. 1326.

Damage claims.

*Provisos.*  
Transfer of funds for compensation of detailed employees.

Payments for materials, etc.

Credit of advances  
to general supply  
fund.

47 Stat. 417.  
31 U. S. C. § 686.

Personal services.

"Fuel" construed.

Separate certificate  
waived.

R. S. §§ 3711, 3713.  
40 U. S. C. § 109.

Cost of recondition-  
ing equipment.

Repairs to typewrit-  
ing machines.

Prices of standard  
typewriting machines;  
exceptions.

Check clearance,  
etc., expenses.

the Director of Procurement: *Provided further*, That advances received pursuant to law (31 U. S. C. 686) from departments and establishments of the United States Government and the government of the District of Columbia during the fiscal year 1940 shall be credited to the general supply fund: *Provided further*, That not to exceed \$700,000 shall be available from the general supply fund during the fiscal year 1940 for personal services: *Provided further*, That the term "fuel" shall be held to include "fuel oil": *Provided further*, That the requirements of sections 3711 and 3713 of the Revised Statutes (40 U. S. C. 109) relative to the weighing of coal and wood and the separate certificate as to the weight, measurement, or quantity of coal and wood purchased shall not apply to purchases by the Procurement Division at free-on-board destination outside of the District of Columbia: *Provided further*, That the reconditioning and repair of surplus property and equipment, for disposition or reissue to Government service, may be made at cost by the Procurement Division, payment therefor to be effected by charging the proper appropriation and crediting the appropriation "Salaries and expenses, Branch of Supply, Procurement Division".

Repairs to typewriting machines (except bookkeeping and billing machines) in the Government service in the District of Columbia may be made at cost by the Procurement Division, payment therefor to be effected by charging the proper appropriation and crediting the appropriation "Salaries and expenses, Procurement Division, Branch of Supply".

No part of any money appropriated by this or any other Act shall be used during the fiscal year 1940 for the purchase of any standard typewriting machines, except bookkeeping and billing machines, at a price in excess of the following for models with carriages which will accommodate paper of the following widths, to wit: Ten inches (correspondence models), \$70; twelve inches, \$75; fourteen inches, \$77.50; sixteen inches, \$82.50; eighteen inches, \$87.50; twenty inches, \$94; twenty-two inches, \$95; twenty-four inches, \$97.50; twenty-six inches, \$103.50; twenty-eight inches, \$104; thirty inches, \$105; thirty-two inches, \$107.50; or, for standard typewriting machines distinctively quiet in operation, the maximum prices shall be as follows for models with carriages which will accommodate paper of the following widths, to wit: Ten inches, \$80; twelve inches, \$85; fourteen inches, \$90; eighteen inches, \$95.

With the approval of the Director of the Bureau of the Budget, there may be transferred sums (not exceeding a total of \$475,000) to the appropriations, "Salaries, Office of Treasurer of the United States, 1940", "Contingent expenses, Treasury Department, 1940", "Printing and binding, Treasury Department, 1940", and "Stationery, Treasury Department, 1940", from funds available for the Agricultural Adjustment Administration, Home Owners' Loan Corporation, Farm Credit Administration, Tennessee Valley Authority, Federal Farm Mortgage Corporation, Reconstruction Finance Corporation, Federal land banks and other banks and corporations under the supervision of the Farm Credit Administration, Railroad Retirement Board, Soil Conservation Service, including Soil Conservation and Domestic Allotment, Social Security Board, Federal Housing Administration, United States Housing Authority, Civilian Conservation Corps, Public Works Administration, Commodity Credit Corporation, Rural Electrification Administration, and corporations and banks under the Federal Home Loan Bank Board to cover the expenses incurred on account of such respective activities in clearing of checks, servicing of bonds, handling of collections, and rendering of accounts therefor.

## MISCELLANEOUS ITEMS, TREASURY DEPARTMENT

## AMERICAN PRINTING HOUSE FOR THE BLIND

To enable the American Printing House for the Blind more adequately to provide books and apparatus for the education of the blind in accordance with the provisions of the Act approved February 8, 1927 (20 U. S. C. 101), \$115,000.

This title may be cited as the "Treasury Department Appropriation Act 1940".

American Printing House for the Blind, expenses.

44 Stat. 1060.  
20 U. S. C. § 101;  
Supp. IV, § 101.  
Short title.

## TITLE II—POST OFFICE DEPARTMENT

The following sums are appropriated in conformity with the Act of July 2, 1836 (5 U. S. C. 380, 39 U. S. C. 786), for the Post Office Department for the fiscal year ending June 30, 1940, namely:

Post Office Department Appropriation Act, 1940.  
5 Stat. 80.  
5 U. S. C. § 380; 39 U. S. C. § 786.

## POST OFFICE DEPARTMENT, WASHINGTON, DISTRICT OF COLUMBIA

## OFFICE OF THE POSTMASTER GENERAL

Salaries: For the Postmaster General and other personal services in the office of the Postmaster General in the District of Columbia, \$228,344.

Salaries.

## SALARIES IN BUREAUS AND OFFICES

For personal services in the District of Columbia in bureaus and offices of the Post Office Department in not to exceed the following amounts, respectively:

Salaries in bureaus and offices.

Office of the First Assistant Postmaster General, \$388,500.  
Office of the Second Assistant Postmaster General, \$579,260.  
Office of the Third Assistant Postmaster General, \$798,560.  
Office of the Fourth Assistant Postmaster General, \$474,240.  
Office of the Solicitor for the Post Office Department, \$92,500.  
Office of the chief inspector, \$237,000.  
Office of the purchasing agent, \$47,240.  
Bureau of Accounts, \$108,000.

## CONTINGENT EXPENSES, POST OFFICE DEPARTMENT

For contingent and miscellaneous expenses; stationery and blank books, index and guide cards, folders and binding devices, including purchase of free penalty envelopes; telegraph and telephone service, furniture and filing cabinets and repairs thereto; purchase, exchange, maintenance, and repair of tools, electrical supplies, typewriters, adding machines, and other labor-saving devices; purchase (including exchange) of one motor-propelled passenger-carrying vehicle at not to exceed \$1,800, and for maintenance of motor trucks and of two motor-driven passenger-carrying vehicles, to be used only for official purposes (one for the Postmaster General and one for the general use of the Department); streetcar fares; floor coverings; postage stamps for correspondence addressed abroad, which is not exempt under article 49 of the London convention of the Universal Postal Union; purchase and exchange of law books, books of reference, railway guides, city directories, and books necessary to conduct the business of the Department; newspapers, not exceeding \$200; expenses, except membership fees, of attendance at meetings or conventions concerned with postal affairs, when incurred on the written authority of the Postmaster General, not exceeding \$2,000; expenses of the purchasing agent and of the Solicitor and attorneys connected with his office while traveling on business of the Department, not exceeding \$800; and other expenses not otherwise provided for; \$86,500.

Department contingent expenses.

Vehicles.

Correspondence addressed abroad.

49 Stat. 2768.

Attendance at meetings.

Printing and binding.

Field service appropriations, restriction on use for Department.

*Proviso.*  
Travel expenses.

Examination of estimates for appropriations in the field.

For printing and binding for the Post Office Department, including all of its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, \$905,000.

Appropriations hereinafter made for the field service of the Post Office Department, except as otherwise provided, shall not be expended for any of the purposes hereinbefore provided for on account of the Post Office Department in the District of Columbia: *Provided*, That the actual and necessary expenses of officials and employees of the Post Office Department and Postal Service, when traveling on official business, may continue to be paid from the appropriations for the service in connection with which the travel is performed, and appropriations for the fiscal year 1940 of the character heretofore used for such purposes shall be available therefor: *Provided further*, That appropriations hereinafter made, except such as are exclusively for payment of compensation, shall be immediately available for expenses in connection with the examination of estimates for appropriations in the field including per diem allowances in lieu of actual expenses of subsistence.

#### FIELD SERVICE, POST OFFICE DEPARTMENT

##### OFFICE OF THE POSTMASTER GENERAL

Travel, etc., expenses.

Travel expenses, Postmaster General and Assistant Postmasters General: For travel and miscellaneous expenses in the Postal Service, offices of the Postmaster General and Assistant Postmasters General, \$3,000.

Damage claims.

Personal or property damage claims: To enable the Postmaster General to pay claims for damages, occurring during the fiscal year 1940, or in prior fiscal years, to persons or property in accordance with the provisions of the Deficiency Appropriation Act, approved June 16, 1921 (5 U. S. C. 392), as amended by the Act approved June 22, 1934 (48 Stat. 1207), \$45,000.

42 Stat. 63; 48 Stat. 1207.  
5 U. S. C. § 392.  
Adjusted losses and contingencies.

Adjusted losses and contingencies: To enable the Postmaster General to pay to postmasters, Navy mail clerks, and assistant Navy mail clerks or credit them with the amount ascertained to have been lost or destroyed during the fiscal year 1940, or prior fiscal years, through burglary, fire, or other unavoidable casualty resulting from no fault or negligence on their part, as authorized by the Act approved March 17, 1882, as amended, \$220,000.

22 Stat. 29.  
39 U. S. C. § 49.

##### OFFICE OF CHIEF INSPECTOR

Inspectors, salaries.

Salaries of inspectors: For salaries of fifteen inspectors in charge of divisions and six hundred inspectors, \$2,336,000.

Traveling and miscellaneous expenses.

Traveling and miscellaneous expenses: For traveling expenses of inspectors, inspectors in charge, the chief post-office inspector, and the assistant chief post-office inspector, and for the traveling expenses of four clerks performing stenographic and clerical assistance to post-office inspectors in the investigation of important fraud cases; for tests, exhibits, documents, photographs, office and other necessary expenses incurred by post-office inspectors in connection with their official investigations, including necessary miscellaneous expenses of division headquarters, and not to exceed \$500 for technical and scientific books and other books of reference needed in the operation of the Post Office Inspection Service, \$630,000: *Provided*, That not exceeding \$28,000 of this sum shall be available for transfer by the Postmaster General to other departments and independent establishments for chemical and other investigations.

Investigations, etc.

*Proviso.*  
Chemical, etc., investigations.

Clerks, division headquarters: For compensation of one hundred and ninety-four clerks at division headquarters of post-office inspectors, \$480,000.

Clerks, division headquarters.

Payment of rewards: For payment of rewards for the detection, arrest, and conviction of post-office burglars, robbers, highway mail robbers, and persons mailing or causing to be mailed any bomb, infernal machine, or mechanical, chemical, or other device or composition which may ignite or explode, \$55,000: *Provided*, That rewards may be paid in the discretion of the Postmaster General, when an offender of the classes mentioned was killed in the act of committing the crime or in resisting lawful arrest: *Provided further*, That no part of this sum shall be used to pay any rewards at rates in excess of those specified in Post Office Department Order 9273, dated July 25, 1936: *Provided further*, That of the amount herein appropriated not to exceed \$20,000 may be expended, in the discretion of the Postmaster General, for the purpose of securing information concerning violations of the postal laws and for services and information looking toward the apprehension of criminals.

Payment of rewards.

*Provisos*.  
Death of offender.

Rate limitation.

Securing information.

#### OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL

Compensation to postmasters: For compensation to postmasters, including compensation as postmaster to persons who, pending the designation of an acting postmaster, assume and properly perform the duties of postmaster in the event of a vacancy in the office of postmaster of the third or fourth class, and for allowances for rent, light, fuel, and equipment to postmasters of the fourth class, \$49,650,000.

Compensation to postmasters.

Compensation to assistant postmasters: For compensation to assistant postmasters at first- and second-class post offices, \$6,975,000.

Assistant postmasters.

Clerks, first- and second-class post offices: For compensation to clerks and employees at first- and second-class post offices, including auxiliary clerk hire at summer and winter post offices, printers, mechanics, skilled laborers, watchmen, messengers, laborers, and substitutes, \$200,000,000.

Clerks, first- and second-class post offices.

Clerks, contract stations: For compensation to clerks in charge of contract stations, \$1,550,000.

Clerks, contract stations.

Separating mails: For separating mails at third- and fourth-class post offices, \$410,000.

Separating mails.

Unusual conditions: For unusual conditions at post offices, \$80,000.

Unusual conditions.

Clerks, third-class post offices: For allowances to third-class post offices to cover the cost of clerical services, \$7,725,000.

Clerks, third-class post offices.

Miscellaneous items, first- and second-class post offices: For miscellaneous items necessary and incidental to the operation and protection of post offices of the first and second classes, and the business conducted in connection therewith, not provided for in other appropriations, \$1,900,000.

Miscellaneous, first- and second-class post offices.

Village delivery service: For village delivery service in towns and villages having post offices of the second or third class, and in communities adjacent to cities having city delivery, \$1,675,000.

Village delivery service.

Detroit River service: For Detroit River postal service, \$11,460.

Detroit River service.

Carfare and bicycle allowance: For carfare and bicycle allowance, including special-delivery carfare, \$1,350,000.

Carfare and bicycle allowance.

City delivery carriers: For pay of letter carriers, City Delivery Service, \$139,250,000.

City delivery carriers.

Special-delivery fees: For fees to special-delivery messengers, \$8,300,000.

Special-delivery fees.

Domestic Air Mail Service: For the inland transportation of mail by aircraft, as authorized by law, and for the incidental expenses

Domestic Air Mail Service.  
*Post*, p. 1323.

thereof, including not to exceed \$39,000 for supervisory officials and clerks at air-mail transfer points, travel expenses, and not to exceed \$53,000 for personal services in the District of Columbia, \$17,930,000.

Foreign air mail transportation: For transportation of foreign mails by aircraft, as authorized by law, \$10,200,000.

OFFICE OF THE SECOND ASSISTANT POSTMASTER GENERAL

Star Route Service.	Star Route Service: For inland transportation by star routes (excepting service in Alaska), including temporary service to newly established offices, \$11,500,000.
Alaska.	Star Route Service, Alaska: For inland transportation by star routes in Alaska, \$140,000.
Powerboat service.	Powerboat service: For inland transportation by steamboat or other powerboat routes, including ship, steamboat, and way letters, \$1,225,000.
Railroad transportation and mail messenger service.	Railroad transportation and mail messenger service: For inland transportation by railroad routes and for mail messenger service, \$101,990,000: <i>Provided</i> , That separate accounts be kept of the amount expended for mail messenger service: <i>Provided further</i> , That there may be expended from this appropriation for personal services in the District of Columbia not exceeding the sum of \$23,000 to carry out the provisions of section 5 of the Act of July 28, 1916 (39 U. S. C. 562) (the space basis Act), and not exceeding the sum of \$33,050 to carry out the provisions of section 214 of the Act of February 28, 1925 (39 U. S. C. 826) (cost ascertainment).
Proviso. Messenger service accounting. Personal services, limitation.	
39 Stat. 429; 43 Stat. 1069. 39 U. S. C. §§ 562, 826.	
Railway Mail Service. Division superintendents, etc.	Railway Mail Service: For fifteen division superintendents, fifteen assistant division superintendents, one assistant superintendent at large, one hundred and nineteen chief clerks, one hundred and nineteen assistant chief clerks, clerks in charge of sections in the offices of division superintendents, railway postal clerks, substitute railway postal clerks, joint employees, and laborers in the Railway Mail Service, \$56,000,000.
Railway postal clerks, travel allowance.	Railway postal clerks, travel allowance: For travel allowance to railway postal clerks and substitute railway postal clerks, \$3,150,000.
Railway Mail Service, traveling expenses.	Railway Mail Service, traveling expenses: For actual and necessary expenses, general superintendent and assistant general superintendent, division superintendents, assistant division superintendents, assistant superintendents, chief clerks, and assistant chief clerks, Railway Mail Service, and railway postal clerks, while actually traveling on business of the Post Office Department and away from their several designated headquarters, \$65,000.
Miscellaneous expenses.	Railway Mail Service, miscellaneous expenses: For rent, light, heat, fuel, telegraph, miscellaneous and office expenses, telephone service, badges for railway postal clerks, rental of space for terminal railway post offices for the distribution of mails when the furnishing of space for such distribution cannot, under the Postal Laws and Regulations, properly be required of railroad companies without additional compensation, and for equipment and miscellaneous items necessary to terminal railway post offices, \$455,000.
Terminal offices, rent.	Electric- and cable-car service: For electric- and cable-car service, \$290,000.
Electric- and cable-car service.	
Foreign mail transportation; exception. Proviso. Sea post service.	Foreign mail transportation: For transportation of foreign mails, except by aircraft, \$3,250,000: <i>Provided</i> , That the Postmaster General is authorized to expend such sums as may be necessary, not to exceed \$170,000, to cover the cost to the United States for maintaining sea post service on ocean steamships conveying the mails to and from the United States, including the salary of the Assistant Director, Division of International Postal Service, with headquarters at New York City.
Assistant Director, Division of International Postal Service.	

Balances due foreign countries: For balances due foreign countries, fiscal year 1940 and prior years, \$1,250,000.

Balances due foreign countries.

Indemnities, international mail: For payment of limited indemnity for the injury or loss of international mail in accordance with convention, treaty, or agreement stipulations, fiscal year 1940 and prior years, \$11,000.

Indemnities, international mail.

Rural Delivery Service: For pay of rural carriers, auxiliary carriers, substitutes for rural carriers on annual and sick leave, clerks in charge of rural stations, and tolls and ferriage, Rural Delivery Service, and for the incidental expenses thereof, \$91,600,000, of which not less than \$200,000 shall be available for extensions and new service.

Rural Delivery Service.

#### OFFICE OF THE THIRD ASSISTANT POSTMASTER GENERAL

Manufacture and distribution of stamps and stamped paper: For manufacture of adhesive postage stamps, special-delivery stamps, books of stamps, stamped envelopes, newspaper wrappers, postal cards, and for coiling of stamps, and including not to exceed \$22,500 for pay of agent and assistants to examine and distribute stamped envelopes and newspaper wrappers, and for expenses of agency, \$4,599,000: *Provided*, That not to exceed \$2,000 of this appropriation may be available for expenses, including the cost of preparing an appropriate display frame of United States postage stamps for exhibition purposes, of delegates designated from the Post Office Department by the Postmaster General to attend the British Philatelic Congress to be held in London, England, during the fiscal year 1940.

Stamps, stamped paper, postal cards, etc.

*Proviso.*  
British Philatelic Congress, expenses of delegates and display.

Indemnities, domestic mail: For payment of limited indemnity for the injury or loss of pieces of domestic registered matter, insured and collect-on-delivery mail, and for failure to remit collect-on-delivery charges, \$550,000.

Indemnities, domestic mail.

Unpaid money orders more than one year old: For payment of domestic money orders after one year from the last day of the month of issue of such orders, \$200,000.

Unpaid money orders more than one year old.

#### OFFICE OF THE FOURTH ASSISTANT POSTMASTER GENERAL

Post office stationery, equipment, and supplies: For stationery for the Postal Service, including the money-order and registry system; and also for the purchase of supplies for the Postal Savings System, including rubber stamps, canceling devices, certificates, envelopes, and stamps for use in evidencing deposits, and free penalty envelopes; and for the reimbursement of the Secretary of the Treasury for expenses incident to the preparation, issue, and registration of the bonds authorized by the Act of June 25, 1910 (39 U. S. C. 760); for miscellaneous equipment and supplies, including the purchase and repair of furniture, package boxes, posts, trucks, baskets, satchels, straps, letter-box paint, baling machines, perforating machines, duplicating machines, printing presses, directories, cleaning supplies, and the manufacture, repair, and exchange of equipment, the erection and painting of letter-box equipment, and for the purchase and repair of presses and dies for use in the manufacture of letter boxes; for postmarking, rating, money-order stamps, and electrotype plates and repairs to same; metal, rubber, and combination type, dates and figures, type holders, ink pads for canceling and stamping purposes, and for the purchase, exchange, and repair of typewriting machines, envelope-opening machines, and computing machines, numbering machines, time recorders, letter balances, scales (exclusive of dormant or built-in platform scales in Federal buildings), test weights, and miscellaneous articles purchased and furnished directly to the

Stationery, etc.

Postal Savings System, supplies.

Bond expenses.

36 Stat. 817.  
39 U. S. C. § 760.  
Miscellaneous equipment, etc.

Letter boxes.

Purchase, etc., of machines.



Furniture, etc.,  
rented quarters.

Post-route maps,  
etc.

Twine and tying de-  
vices.

Personal services.

Traveling mechani-  
cians.

*Proviso.*  
Sale of maps, etc.

Equipment shops,  
material, etc.

Personal services.

*Proviso.*  
Distinctive equip-  
ments, manufacture.

Rent, light, fuel, and  
water.

Pneumatic-tube  
service, New York  
City.

*Provisos.*  
Relocation expenses,  
etc.

Postal Service, including complete equipment and furniture for post offices in leased and rented quarters; for the purchase, repair, and replacement of arms and miscellaneous items necessary for the protection of the mails; for miscellaneous expenses in the preparation and publication of post-route maps and rural delivery maps or blueprints, including tracing for photolithographic reproduction; for other expenditures necessary and incidental to post offices of the first, second, and third classes, and offices of the fourth class having or to have rural delivery service, and for letter boxes; for the purchase of atlases and geographical and technical works not to exceed \$1,500; for wrapping twine and tying devices; (not more than three-fourths of the funds herein appropriated for the purchase of twine shall be expended in the purchase of twine manufactured from materials or commodities produced outside the United States) for expenses incident to the shipment of supplies, including hardware, boxing, packing, and not exceeding \$62,300 for the pay of employees in connection therewith in the District of Columbia; for rental, purchase, exchange, and repair of canceling machines and motors, mechanical mail-handling apparatus, accident prevention, and other labor-saving devices, including cost of power in rented buildings and miscellaneous expenses of installation and operation of same, including not to exceed \$35,000 for salaries of thirteen traveling mechanics, and for traveling expenses, \$3,000,000: *Provided*, That the Postmaster General may authorize the sale to the public of post-route maps and rural delivery maps or blueprints at the cost of printing and 10 per centum thereof added.

Equipment shops, Washington, District of Columbia: For the purchase, manufacture, and repair of mail bags and other mail containers and attachments, mail locks, keys, chains, tools, machinery, and material necessary for same, and for incidental expenses pertaining thereto; material, machinery, and tools necessary for the manufacture and repair of such other equipment for the Postal Service as may be deemed expedient; accident prevention; for the expenses of maintenance and repair of the mail bag equipment shops building and equipment, including fuel, light, power, and miscellaneous supplies and services; maintenance of grounds; for compensation to labor employed in the equipment shops and in the operation, care, maintenance, and protection of the equipment shops building, grounds, and equipment, \$1,200,000, of which not to exceed \$635,000 may be expended for personal services in the District of Columbia: *Provided*, That out of this appropriation the Postmaster General is authorized to use as much of the sum, not exceeding \$15,000, as may be deemed necessary for the purchase of material and the manufacture in the equipment shops of such small quantities of distinctive equipments as may be required by other executive departments; and for service in Alaska, Puerto Rico, Philippine Islands, Hawaii, or other island possessions.

Rent, light, fuel, and water: For rent, light, fuel, and water, for first-, second-, and third-class post offices, and the cost of advertising for lease proposals for such offices, \$10,450,000.

Pneumatic-tube service, New York City: For rental of not exceeding twenty-eight miles of pneumatic tubes, hire of labor, communication service, electric power, and other expenses for transmission of mail in the city of New York including the Borough of Brooklyn, \$550,000: *Provided*, That not to exceed \$7,300 of this sum shall be available toward the cost of the relocation of the pneumatic-tube line and machinery incidental to removal of the post-office station

from Varick Street to Canal Street: *Provided further*, That the provisions of the Acts of April 21, 1902, May 27, 1908, and June 19, 1922 (39 U. S. C. 423), relating to contracts for the transmission of mail by pneumatic tubes or other similar devices shall not be applicable hereto.

Pneumatic-tube service, Boston: For the rental of not exceeding two miles of pneumatic tubes, not including labor and power in operating the same, for the transmission of mail in the city of Boston, Massachusetts, \$24,000: *Provided*, That the provisions not inconsistent herewith of the Acts of April 21, 1902 (39 U. S. C. 423), and May 27, 1908 (39 U. S. C. 423), relating to the transmission of mail by pneumatic tubes or other similar devices shall be applicable hereto.

Vehicle service: For vehicle service; the hire of vehicles; the rental of garage facilities; the purchase, exchange, maintenance, and repair of motor vehicles; accident prevention; the hire of supervisors, clerical assistance, mechanics, drivers, garage men, and such other employees as may be necessary in providing vehicles and vehicle service for use in the collection, transportation, delivery, and supervision of the mail, \$15,500,000: *Provided*, That the Postmaster General may, in his disbursement of this appropriation, apply a part thereof to the leasing of quarters for the housing of Government-owned motor vehicles at a reasonable annual rental for a term not exceeding ten years: *Provided further*, That the Postmaster General, during the fiscal year 1940 may purchase and maintain from the appropriation "Vehicle service" such tractors and trailer trucks as may be required in the operation of the vehicle service: *Provided further*, That no part of this appropriation shall be expended for maintenance or repair of motor-propelled passenger-carrying vehicles for use in connection with the administrative work of the Post Office Department in the District of Columbia.

Transportation of equipment and supplies: For the transportation and delivery of equipment, materials, and supplies for the Post Office Department and Postal Service by freight, express, or motor transportation, and other incidental expenses, \$350,000.

#### PUBLIC BUILDINGS, MAINTENANCE AND OPERATION

Operating force: For personal services in connection with the operation of public buildings, including the Washington Post Office and the Customhouse Building in the District of Columbia, operated by the Post Office Department, together with the grounds thereof and the equipment and furnishings therein, including telephone operators for the operation of telephone switchboards or equivalent telephone switchboard equipment in such buildings jointly serving in each case two or more governmental activities, \$22,742,640: *Provided*, That in no case shall the rates of compensation for the mechanical labor force be in excess of the rates current at the time and in the place where such services are employed.

Operating supplies, public buildings: For fuel, steam, gas, and electric current for lighting, heating, and power purposes, water, ice, lighting supplies, removal of ashes and rubbish, snow and ice, cutting grass and weeds, washing towels, telephone service for custodial forces, and for miscellaneous services and supplies, accident prevention, vacuum cleaners, tools and appliances and repairs thereto, for the operation of completed and occupied public buildings and grounds, including mechanical and electrical equipment, but not the repair thereof, operated by the Post Office Department, including the Wash-

Provisions inapplicable.  
32 Stat. 114; 35 Stat. 412; 42 Stat. 661.  
39 U. S. C. § 423.

Pneumatic-tube service, Boston.

*Proviso.*  
Provisions applicable.  
32 Stat. 114; 35 Stat. 412.  
39 U. S. C. § 423.

Vehicle service.  
*Post*, p. 987.

*Provisos.*  
Housing of Government-owned vehicles.

Tractors and trailer trucks.

Maintenance, etc., of vehicles; restriction on use of funds.

Transportation of equipment and supplies.

Operating force.

*Proviso.*  
Pay rates.

Operating supplies.

*Provisos.*  
Personal services, restriction.

Contracts for telephone service.

Furniture, etc.

*Provisos.*  
Personal services, restriction.

Use of present furniture.

Scientific investigations.  
Transfer of funds to Bureau of Standards.

Deficiency in postal revenues.

Short title.

Travel expenses on change of station.

*Proviso.*  
Restriction.

Restrictions on expenditures.

Cost limitation on automobiles.

ington Post Office and the Customhouse Building in the District of Columbia, and for the transportation of articles and supplies authorized herein, \$5,500,000: *Provided*, That the foregoing appropriation shall not be available for personal services except for work done by contract, or for temporary job labor under exigency not exceeding at one time the sum of \$100 at any one building: *Provided further*, That the Postmaster General is authorized to contract for telephone service in public buildings under his administration by means of telephone switchboards or equivalent telephone switching equipment jointly serving in each case two or more governmental activities, where he determines that joint service is economical and in the interest of the Government, and to secure reimbursement for the cost of such joint service from available appropriations for telephone expenses of the bureaus and offices receiving the same.

Furniture, carpets, and safes, public buildings: For the procurement, including transportation, of furniture, carpets, safes, safe and vault protective devices, and repairs of same, for use in public buildings which are now, or may hereafter be, operated by the Post Office Department, \$675,000: *Provided*, That, excepting expenditures for labor for or incidental to the moving of equipment from or into public buildings, the foregoing appropriation shall not be used for personal services except for work done under contract or for temporary job labor under exigency and not exceeding at one time the sum of \$100 at any one building: *Provided further*, That all furniture now owned by the United States in other public buildings or in buildings rented by the United States shall be used, so far as practicable, whether it corresponds with the present regulation plan of furniture or not.

Scientific investigations: In the disbursement of appropriations contained in this title for the field service of the Post Office Department the Postmaster General may transfer to the Bureau of Standards not to exceed \$20,000 for scientific investigations in connection with the purchase of materials, equipment, and supplies necessary in the maintenance and operation of the Postal Service.

Deficiency in postal revenues: If the revenues of the Post Office Department shall be insufficient to meet the appropriations made under title II of this Act, a sum equal to such deficiency in the revenues of such Department is hereby appropriated, to be paid out of any money in the Treasury not otherwise appropriated, to supply such deficiency in the revenues of the Post Office Department for the fiscal year ending June 30, 1940, and the sum needed may be advanced to the Post Office Department upon requisition of the Postmaster General.

This title may be cited as the "Post Office Department Appropriation Act, 1940".

SEC. 2. Appropriations for the fiscal year 1940 available for expenses of travel of civilian officers and employees of the executive departments and establishments shall be available also for expenses of travel performed by them on transfer from one official station to another when authorized by the head of the department or establishment concerned in the order directing such transfer: *Provided*, That such expenses shall not be allowed for any transfer effected for the convenience of any officer or employee.

SEC. 3. No appropriation available for the executive departments and independent establishments of the Government for the fiscal year ending June 30, 1940, whether contained in this Act or any other Act, shall be expended—

(a) To purchase any motor-propelled passenger-carrying vehicle (exclusive of busses, ambulances, and station wagons), at a cost, com-

pletely equipped for operation, and including the value of any vehicle exchanged, in excess of \$750, unless otherwise specifically provided for in the appropriation.

(b) For the maintenance, operation, and repair of any Government-owned motor-propelled passenger-carrying vehicle not used exclusively for official purposes; and "official purposes" shall not include the transportation of officers and employees between their domiciles and places of employment, except in cases of medical officers on out-patient medical services and except in cases of officers and employees engaged in field work the character of whose duties makes such transportation necessary and then only as to such latter cases when the same is approved by the head of the department or establishment concerned. The limitations of this subsection (b) shall not apply to any motor vehicles for official use of the President, or of the heads of the executive departments.

(c) For the maintenance, upkeep, and repair (exclusive of garage rent, pay of operators, tires, fuel, and lubricants) on any one motor-propelled passenger-carrying vehicle, except busses and ambulances, in excess of one-third of the market price of a new vehicle of the same make and class and in no case in excess of \$400.

SEC. 4. No part of the money appropriated under this Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate upon vote has failed to confirm the nomination of such person.

SEC. 5. No part of any appropriation contained in this Act or authorized hereby to be expended shall be used to pay the compensation of any officer or employee of the Government of the United States, or of any agency the majority of the stock of which is owned by the Government of the United States, whose post of duty is in continental United States unless such officer or employee is a citizen of the United States or a person in the service of the United States on the date of the approval of this Act who being eligible for citizenship has filed a declaration of intention to become a citizen or who owes allegiance to the United States: *Provided*, That this section shall not apply to enlisted men of the United States Coast Guard who are on active duty in that service on the effective date of this Act, until the expiration of the period required for such enlisted men to complete their naturalization, nor shall it apply to personnel of the Coast Guard on the retired list, and enlisted men on active duty with over twelve years' honorable service who are ineligible for United States citizenship.

SEC. 6. On and after July 1, 1939, no executive department or independent establishment of the Government shall transmit through the mail, free of postage, any book, report, periodical, bulletin, pamphlet, list, or other article or document (except official letter correspondence, mail concerning the sale of Government securities, and all forms and blanks necessary in the administration of such departments and establishments), unless a request therefor has been previously received by such department or independent establishment or such transmission is required by law. For each quarter, beginning with the quarter commencing July 1, 1939, the head of each independent establishment and executive department (other than the Post Office Department) shall submit to the Postmaster General, within thirty days after the close of the quarter, a statement of the weight of the mail matter by classes of mail that the independent establishment or department has transmitted free of postage during such quarter, and he shall also certify to the Postmaster General at the end of each such quarter that nothing was transmitted through the mail free of postage by the independent establishment or department in violation of the pro-

Maintenance, etc., of automobiles not for official purposes.

"Official purposes" construed.

Exceptions.

Maintenance, upkeep, etc., limitation.

Restriction on payments to nominees after Senate rejection.

Citizenship, etc., provisions.

*Proviso.*  
Exceptions.

Restriction on transmission of unsolicited official mail matter free of postage.  
*Post*, p. 989.

Quarterly statements as to weight by classes.

Certification of compliance.

*Provisos.*  
Lists of agricultural  
bulletins, etc., ex-  
cepted.

Transmission of  
books, etc., to educa-  
tional institutions or  
public libraries.

visions of this section: *Provided*, That nothing herein shall be construed to prohibit the mailing free of postage of lists of agricultural bulletins or of lists of public documents which are offered for sale by the Superintendent of Documents: *Provided further*, That this prohibition shall not apply to the transmission of such books, reports, periodicals, bulletins, pamphlets, lists, articles, or documents to educational institutions or public libraries.

Approved, May 6, 1939.

[CHAPTER 116]

AN ACT

May 8, 1939  
[S. 70]  
[Public, No. 66]

To amend section 90 of the Judicial Code, as amended, with respect to the terms of the Federal District Court for the Northern District of Mississippi.

Judicial Code,  
amendment.  
49 Stat. 1362.  
28 U. S. C., Supp.  
IV, § 170.  
Mississippi judicial  
districts.

Northern district.  
Eastern division.

Western division.

Delta division.

Terms of court.  
Eastern division.

Western division.  
Delta division.

Southern district.  
Jackson division.

Western division.

Eastern division.

Southern division.

Hattiesburg divi-  
sion.

Terms of court.  
Jackson division.

Western division.  
Eastern division.  
Southern division.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 90 of the Judicial Code, as amended (U. S. C., 1934 edition, title 28, sec. 170), is amended to read as follows:

"SEC. 90. The State of Mississippi is divided into two judicial districts to be known as the northern and southern districts of Mississippi. The northern district shall include the territory embraced on the 1st day of December 1923 in the counties of Alcorn, Attala, Chickasaw, Choctaw, Clay, Itawamba, Lee, Lowndes, Monroe, Oktibbeha, Pontotoc, Prentiss, Tishomingo, and Winston, which shall constitute the eastern division of said district; also the territory embraced on the date last mentioned in the counties of Benton, Calhoun, Carroll, De Soto, Grenada, Lafayette, Marshall, Montgomery, Panola, Tate, Tippah, Union, Webster, and Yalabusha, which shall constitute the western division of said district; also the territory embraced on the date last mentioned in the counties of Bolivar, Coahoma, Leflore, Quitman, Sunflower, Tallahatchie, and Tunica, which shall constitute the Delta division of said district. The terms of the district court for the eastern division shall be held at Aberdeen on the first Mondays in April and October; for the western division, at Oxford on the first Mondays in June and December; and for the Delta division, at Clarksdale on the first Mondays in May and November. The southern district shall include the territory embraced on the 1st day of December 1923 in the counties of Amite, Copiah, Franklin, Hinds, Holmes, Leake, Lincoln, Madison, Pike, Rankin, Simpson, Smith, Scott, Wilkinson, and Yazoo, which shall constitute the Jackson division; also the territory embraced on the date last mentioned in the counties of Adams, Claiborne, Humphreys, Issaquena, Jefferson, Sharkey, Warren, and Washington, which shall constitute the western division; also the territory embraced on the date last mentioned in the counties of Clarke, Jasper, Kemper, Lauderdale, Neshoba, Newton, Noxubee, and Wayne, which shall constitute the eastern division; also the territory embraced on the date last mentioned in the counties of George, Hancock, Harrison, Jackson, Pearl River, and Stone, which shall constitute the southern division of said district; also the territory embraced on the date last mentioned in the counties of Covington, Forrest, Greene, Jefferson Davis, Jones, Lamar, Lawrence, Marion, Perry, and Walthall, which shall constitute the Hattiesburg division. Terms of the district court for the Jackson division shall be held at Jackson on the first Mondays in May and November; for the western division, at Vicksburg on the third Mondays in May and November; for the eastern division, at Meridian on the third Mondays in March and September; for the southern division, at Biloxi on the third Monday in February and the first Monday in

June; and for the Hattiesburg division at Hattiesburg on the second Mondays in April and October. The clerk of the court for each district shall maintain an office in charge of himself or a deputy at each place in his district at which court is now required to be held, at which he shall not himself reside, which shall be kept open at all times for the transaction of the business of the court. The marshal for each of said districts shall maintain an office in charge of himself or a deputy at each place of holding court in his district."

SEC. 2. This Act shall take effect on July 1, 1939.

Approved, May 8, 1939.

Hattiesburg division.  
Clerks and marshals.

Effective date.

#### [CHAPTER 117]

##### AN ACT

Making inapplicable certain reversionary provisions in the Act of March 4, 1923 (42 Stat. 1450), and a certain deed executed by the Secretary of War, in the matter of a lease to be entered into by the United States for the use of a part of the former Fort Armistead Military Reservation for air-navigation purposes.

May 8, 1939  
[S. 2044]

[Public, No. 67]

Whereas the Secretary of War, pursuant to the authority contained in the Act of March 4, 1923 (42 Stat. 1450), executed a deed dated February 23, 1927, conveying to the mayor and City Council of the City of Baltimore, Maryland, the Fort Armistead Military Reservation, which Act and deed provide for a reversion of said property to the United States when it shall cease to be used for public park purposes; and

Fort Armistead Military Reservation, Md.  
Preamble.  
42 Stat. 1450.

Whereas the United States is desirous of leasing for air-navigation purposes a part (three and one-quarter acres, more or less) of said property: Now, therefore

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the reversionary provisions of the aforesaid Act and deed shall not be applicable to the aforesaid property by virtue of the leasing of said part thereof (three and one-quarter acres, more or less) by the mayor and City Council of the City of Baltimore to the United States for air-navigation purposes.

Reversionary provisions respecting use of part of, made inapplicable.

Approved, May 8, 1939.

#### [CHAPTER 119]

##### AN ACT

Making appropriations for the Department of the Interior for the fiscal year ending June 30, 1940, and for other purposes.

May 10, 1939  
[H. R. 4852]

[Public, No. 68]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior for the fiscal year ending June 30, 1940, namely:

Interior Department Appropriation Act, 1940.

### OFFICE OF THE SECRETARY

#### SALARIES

Salaries: For the Secretary of the Interior, Under Secretary, First Assistant Secretary, Assistant Secretary, and other personal services in the District of Columbia, \$549,630: *Provided*, That in expending appropriations or portions of appropriations, contained in this Act, for the payment for personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, with the exception of the First Assistant Secretary and the Assistant Secretary, the average of the salaries of the total number of persons under

Salaries.  
*Post*, p. 985.

*Provisos*.  
Salaries limited to average rates under Classification Act; exceptions.  
5 U. S. C. §§ 661-674; Supp. IV, §§ 673, 673c.

Restrictions not applicable to clerical-mechanical service.

No reduction in fixed salaries.

5 U. S. C. § 666.

Transfers without reduction.

Payment at higher rate permitted.

If only one position in a grade.

any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed, as of July 1, 1924, in accordance with the rules of section 6 of such Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

#### OFFICE OF SOLICITOR

Personal services.

For personal services in the District of Columbia and in the field, \$290,000.

#### DIVISION OF TERRITORIES AND ISLAND POSSESSIONS

Personal services.

For personal services in the District of Columbia, \$57,000.

#### DIVISION OF INVESTIGATIONS

Investigation of official matters; timber protection, etc.

Traveling, etc., expenses.

Vehicles and motorboats.

Annual statement of expenditures.

For investigating official matters under the control of the Department of the Interior; for protecting timber on the public lands, and for the more efficient execution of the law and rules relating to the cutting thereof; for protecting public lands from illegal and fraudulent entry or appropriation; for adjusting claims for swamplands and indemnity for swamplands; and for traveling and other expenses of persons employed hereunder, \$548,000, including not exceeding \$42,370 for personal services in the District of Columbia; not exceeding \$56,050 for the purchase, exchange, operation, and maintenance of motor-propelled passenger-carrying vehicles and motorboats for the use of agents and others employed in the field service. The Secretary of the Interior shall include in his annual report a full statement of all expenditures made under authority of this paragraph.

#### DIVISION OF GRAZING

Salaries and expenses.

48 Stat. 1269; 49 Stat. 1976.

43 U. S. C. § 315; Supp. IV, § 315.

Classification of lands, etc.

For carrying out the provisions of the Act entitled "An Act to stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range, and for other purposes", approved June 28, 1934 (48 Stat. 1269), and as amended by the Act of June 26, 1936 (49 Stat. 1976), including examination and classification of lands with respect to grazing or agricultural utility, preparation of land classification maps and reports, traveling and other necessary expenses, payments for the cost of packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station, under regulations to be prescribed by the Secretary of the

Interior, not to exceed \$62,700 for personal services in the District of Columbia, not to exceed \$30,000 for the purchase, exchange, operation, and maintenance of motor-propelled passenger-carrying vehicles, and not to exceed \$1,000 for expenses of attendance at meetings concerned with the work of the Division of Grazing when authorized by the Secretary of the Interior, \$650,000; for payment of a salary of \$5 per diem while actually employed and for the payment of necessary travel expenses, exclusive of subsistence, of members of advisory committees of local stockmen, \$100,000; in all, \$750,000.

For construction, purchase, and maintenance of range improvements within grazing districts, pursuant to the provisions of sections 10 and 11 of the Act of June 28, 1934 (48 Stat. 1269), and as amended by the Act of June 26, 1936 (49 Stat. 1976), and not including contributions under section 9 of said Act, \$250,000: *Provided*, That expenditures hereunder shall not exceed 25 per centum of all moneys received from grazing districts under the provisions of said Act during the fiscal years 1939 and 1940.

#### PETROLEUM CONSERVATION DIVISION

For cooperation with Federal and State authorities, the Interstate Oil Compact Commission and other agencies, in the conservation of oil and gas and in the enactment of uniform oil and gas conservation laws and the issuance of regulations and orders thereunder, and for the coordinating and interchange of information relative thereto, including necessary personal services in the District of Columbia, traveling expenses, rent, stationery, and office supplies, not to exceed \$1,000 for necessary expenses of attendance at meetings and conferences concerned with the work of petroleum conservation when authorized by the Secretary of the Interior, not to exceed \$600 for printing and binding, and not to exceed \$500 for books and periodicals, \$30,000.

#### CONTINGENT EXPENSES, DEPARTMENT OF THE INTERIOR

For contingent expenses of the office of the Secretary and the bureaus and offices of the Department; furniture, carpets, ice, lumber, hardware, dry goods, advertising, teletype rentals and service, telegraphing, telephone service, including personal services of temporary or emergency telephone operators; street-car fares for use by messengers not exceeding \$150; expressage, diagrams, awnings, filing devices, typewriters, adding and addressing machines, and other labor-saving devices, including the repair, exchange, and maintenance thereof; constructing model and other cases and furniture; postage stamps to prepay postage on foreign mail and for special-delivery and air-mail stamps for use in the United States; traveling expenses, including necessary expenses of inspectors and attorneys; fuel and light; examination of estimates for appropriations in the field for any bureau, office, or service of the Department; not exceeding \$500 for the payment of damages caused to private property by Department motor vehicles; not to exceed \$1,800, to be immediately available, for the purchase, including exchange, of an automobile for the official use of the Secretary of the Interior; purchase and exchange of motor trucks, motorcycles, and bicycles, maintenance, repair, and operation of three motor-propelled passenger-carrying vehicles and motor trucks, motorcycles, and bicycles to be used only for official purposes; rent of Department garage; expense of taking testimony and preparing the same in connection with disbarment proceedings instituted against persons charged with improper practices before the Department, its bureaus and offices; expense of translations, and not exceeding \$1,000 for contract stenographic reporting services; not exceeding \$700 for

Services in the District.  
*Post*, p. 1313.

Advisory committees of local stockmen.

Range improvements.

48 Stat. 1273; 49 Stat. 1978.  
43 U. S. C. §§ 315i, 315j; Supp. IV, § 315i.  
*Proviso*.  
Limitation.

Cooperative expenses, oil and gas conservation, etc.  
*Post*, p. 1313.

Services in the District.

Attendance at meetings.

Printing and binding.

Department contingent expenses.

Teletype rentals, etc.

Labor-saving devices.

Fuel and light.

Private property damages.

Vehicles.

Disbarment proceedings, expenses.



Stationery, etc.

Additional, from specified appropriations.

Professional and scientific books, periodicals, etc.

Additional, from specified appropriations.

newspapers; stationery, including tags, labels, index cards, cloth-lined wrappers, and specimen bags, printed in the course of manufacture, and such printed envelopes as are not supplied under contracts made by the Postmaster General, for the Department and its several bureaus and offices, and other absolutely necessary expenses not hereinafter provided for, \$125,000; and, in addition thereto, sums amounting to \$49,600 for stationery supplies shall be deducted from other appropriations made for the fiscal year 1940 as follows: General Land Office \$3,500; Geological Survey, \$7,000; Freedmen's Hospital, \$2,000; Saint Elizabeths Hospital, \$2,200; National Park Service, \$11,000; Bureau of Reclamation, \$8,400, any unexpended portion of which shall revert and be credited to the reclamation fund; Division of Investigations, \$2,000; Bureau of Mines, \$9,000; Division of Grazing, \$4,500; and said sums so deducted shall be credited to and constitute, together with the first-named sum of \$125,000, the total appropriation for contingent expenses for the Department and its several bureaus and offices for the fiscal year 1940.

For the purchase or exchange of professional and scientific books, law and medical books, and books to complete broken sets, periodicals, directories, and other books of reference relating to the business of the Department, \$700, and in addition there is hereby made available from any appropriations made for any of the following bureaus or offices of the Department not to exceed the following respective sums: Indian Service, \$500; Office of Education, \$3,000; Bureau of Reclamation, \$6,000; Geological Survey, \$6,000; National Park Service, \$2,200; General Land Office, \$500; Bureau of Mines, \$3,560.

#### PRINTING AND BINDING

Printing and binding.  
*Post*, p. 1313.

Restriction.

For printing and binding for the Department of the Interior, \$292,550, of which \$83,420 shall be for the National Park Service, \$85,290 for the Bureau of Mines, and \$54,500 for the Office of Education, no part of which shall be available for correspondence instruction.

#### COMMISSION OF FINE ARTS

Expenses.  
36 Stat. 371.  
40 U. S. C. § 104.  
Periodicals, etc.  
Attendance at meetings, etc.

For expenses made necessary by the Act entitled "An Act establishing a Commission of Fine Arts", approved May 17, 1910 (40 U. S. C. 104), including the purchase of periodicals, press clippings, maps, and books of reference, and payment of actual traveling expenses of the members and secretary of the Commission in attending meetings and committee meetings of the Commission either within or outside of the District of Columbia, to be disbursed on vouchers approved by the Commission, \$9,700, of which amount not to exceed \$6,480 may be expended for personal services in the District of Columbia.

Printing and binding.

For all printing and binding for the Commission of Fine Arts, \$300.

Total, Commission of Fine Arts, \$10,000.

#### NATIONAL BITUMINOUS COAL COMMISSION

Salaries and expenses.

50 Stat. 72.  
15 U. S. C., Supp. IV, §§ 828-851.  
Attendance at meetings.

Salaries and expenses: For all necessary expenditures of the National Bituminous Coal Commission in performing the duties imposed upon said Commission by the Bituminous Coal Act of 1937, approved April 26, 1937 (50 Stat. 72), including personal services and rent in the District of Columbia and elsewhere; traveling expenses, including expenses of attendance at meetings which, in the discretion of the Commission, are necessary for the efficient discharge

of its responsibilities; contract stenographic reporting services; stationery and office supplies; purchase, rental, exchange, operation, maintenance, and repair of reproducing, photographing, and other such equipment, typewriters, calculating machines, mechanical tabulating equipment, and other office appliances and labor-saving devices; printing and binding; witness fees and fees and mileage in accordance with section 8 of the Bituminous Coal Act of 1937; not to exceed \$12,500 for purchase, exchange, hire, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles including one for use in the District of Columbia; garage rentals; miscellaneous items, including those for public instruction and information deemed necessary by the Commission; and not to exceed \$6,000 for purchase and exchange of newspapers, law books, reference books, and periodicals, \$3,500,000.

Consumers' Counsel of the National Bituminous Coal Commission, salaries and expenses: For all necessary expenditures of the office of the Consumers' Counsel of the National Bituminous Coal Commission, in performing the duties imposed upon said office of Consumers' Counsel by the Bituminous Coal Act of 1937, approved April 26, 1937 (50 Stat. 72), including witness fees and mileage for witnesses appearing in his behalf before the National Bituminous Coal Commission and including witnesses before the Interstate Commerce Commission, personal services and rent in the District of Columbia and elsewhere, traveling expenses, including not to exceed \$3,000 for expenses of attendance at meetings at which matters of importance to the work of the Consumers' Counsel are to be discussed, printing and binding, contract stenographic reporting services, stationery and office supplies and equipment, and not to exceed \$1,000 for newspapers, books, and periodicals, \$285,000.

Stationery, etc.

Printing and binding.  
Witness fees.  
50 Stat. 86.  
15 U. S. C., Supp.  
IV, § 838.  
Vehicles.

Books, etc.

Consumers' Counsel's office.  
Salaries and expenses.

50 Stat. 72.  
15 U. S. C., Supp.  
IV, § 829.  
Witness fees, etc.  
Rent.  
Attendance at meetings.  
Printing and binding.

## WAR MINERALS RELIEF COMMISSION

Administrative expenses: For administrative expenses made necessary by section 5 of the Act entitled "An Act to provide relief in cases of contracts connected with the prosecution of the war, and for other purposes", approved March 2, 1919 (40 Stat. 1272), including personal services, without regard to the civil-service laws and regulations; traveling and subsistence expenses; supplies and all other expenses incident to the proper prosecution of this work, both in the District of Columbia and elsewhere, \$11,200.

Administrative expenses.

40 Stat. 1274.  
Personal services.

## BONNEVILLE PROJECT

For operation and maintenance of the Bonneville Project, Oregon, in accordance with the provisions of an Act entitled "An Act to authorize the completion, maintenance, and operation of the Bonneville project, for navigation and for other purposes", approved August 20, 1937, including maintenance and operation of transmission lines, communicating systems, and substations, purchase and exchange, maintenance and operation of automobiles, purchase of stationery and office supplies, purchase of equipment and other supplies, rent, traveling expenses, telegraph and telephone expenses, printing and binding, and all other necessary expenses, and including not to exceed \$8,200 for personal services in the District of Columbia, \$400,000.

Operation and maintenance.

50 Stat. 731.  
16 U. S. C., Supp.  
IV, ch. 12B.

Printing and binding.

Transmission lines, easements, etc.

For construction, purchase and improvement of transmission lines, substations, and facilities and structures appurtenant thereto, and the purchase of easements and rights-of-way and improvements thereon, including personal services incident to the foregoing, in carrying out the provisions of an Act entitled "An Act to authorize the completion,

50 Stat. 731.  
16 U. S. C., Supp.  
IV, ch. 12B.

maintenance, and operation of the Bonneville project, for navigation and for other purposes", approved August 20, 1937, to be immediately available, \$13,000,000.

### UNITED STATES HOUSING AUTHORITY

Salaries and expenses.

50 Stat. 888; 52 Stat. 820.  
42 U. S. C., Supp. IV, §§ 1401-1430.

Services and rent.

Printing and binding.

Traveling, etc., expenses.

Reference books, etc.

Vehicles.

Exhibits.

Special services.

R. S. § 3709.  
41 U. S. C. § 5.  
5 U. S. C. §§ 631-652, 661-674; Supp. IV, §§ 673, 673c.  
*Provisos.*  
Non-Federal projects.

Reimbursement.

Nonadministrative expenses.

49 Stat. 1647.

Transportation, per diem, etc.

Use of funds for salary increases restricted.

5 U. S. C. §§ 661-674; Supp. IV, §§ 673, 673c.

Salaries and expenses: Not to exceed \$4,500,000 of the funds of the United States Housing Authority, established by the United States Housing Act of 1937 (50 Stat. 888), as amended by the United States Housing Act Amendments of 1938 (52 Stat. 820), shall be available during the fiscal year 1940 for administrative expenses of the Authority in carrying out the provisions of said Acts, including personal services and rent in the District of Columbia and elsewhere; traveling expenses; printing and binding; procurement of supplies, equipment, and services; reproducing, photographing, and labor-saving devices and office appliances, including their repair and exchange; payment of the necessary traveling and other expenses of officers and employees of any agency of the Federal, State, or local governments whose services are utilized in the work of the Authority; not to exceed \$5,000 for the purchase and exchange of law books and other books of reference, periodicals, newspapers, and press clippings; not to exceed \$10,000 for purchase, including exchange, hire, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, to be used only for official purposes; not to exceed \$2,500 for expenses of attendance, when specifically authorized by the Administrator, at meetings or conventions concerned with the work of the Authority; not to exceed \$15,000 for the preparation, mounting, shipping, and installation of exhibits; not to exceed \$25,000 for employing persons or organizations, by contract or otherwise, for special reporting, engineering, technical, legal, and other services determined necessary by the Administrator, without regard to section 3709 of the Revised Statutes (41 U. S. C. 5), and without regard to the civil-service laws and the Classification Act of 1923, as amended: *Provided*, That of the \$4,500,000 hereby made available for administrative expenses of the Authority, not to exceed \$1,500,000 shall be available for such expenses incurred at the site, and in connection with the construction, of the United States Housing Authority non-Federal projects, and shall be reimbursed by the public housing agencies constructing such projects, and such reimbursements shall be available for administrative expenses of the Authority: *Provided further*, That hereafter all necessary expenses in connection with the management and operation of projects transferred to the Authority by Executive Order Numbered 7732 of October 27, 1937, as modified by Executive Order Numbered 7839 of March 12, 1938, may be considered as nonadministrative expenses, notwithstanding the provisions of section 7 of the Act of June 22, 1936 (49 Stat. 1647, 1648), and be paid from the rents received from each transferred project: *Provided further*, That hereafter the funds made available for administrative expenses of the United States Housing Authority shall be available for the payment, when specifically authorized by the Administrator, of actual transportation expenses and not to exceed \$10 per diem in lieu of subsistence and other expenses to persons serving, while away from their homes, without other compensation from the United States, in an advisory capacity to the Authority: *Provided further*, That no part of the funds made available in this paragraph for administrative expenses of the Authority shall be used to increase the salary of any position which on the date of the approval of this Act is provided for at the rate of \$4,000 or more per annum, except in consequence of a reallocation of position under the Classification Act of 1923, as amended.

Annual contributions: For the payment of annual contributions to public housing agencies in accordance with section 10 of the United States Housing Act of 1937 (50 Stat. 888), as amended by the United States Housing Act Amendments of 1938 (52 Stat. 820), \$5,000,000.

Annual contributions in assistance of low rentals.  
50 Stat. 891; 52 Stat. 820.  
42 U. S. C., Supp. IV, § 1410.

## GENERAL LAND OFFICE

### SALARIES

For Commissioner of the General Land Office and other personal services in the District of Columbia, \$787,000, including \$25,000 for temporary employees and, including one clerk, who shall be designated by the President, to sign land patents.

Salaries.  
Temporary employees.  
Clerk to sign land patents.

Transcribing records: For special personal services in the District of Columbia to transcribe worn and defaced records of the General Land Office, \$10,000.

Transcribing records.

Binding records: For personal services in the District of Columbia, purchase and maintenance of equipment, and all other expenses requisite for and incidental to the establishment, operation, and maintenance of a branch of the Government Printing Office in the Interior Building, to bind, rebind, and repair books of record in the General Land Office, to be expended under the supervision of the Public Printer, \$10,000.

Binding records.  
Establishment, etc., of branch of Government Printing Office.

### GENERAL EXPENSES

For traveling expenses of officers and employees, including employment of stenographers and other assistants when necessary, for separate maps of public-land States and Alaska; for the reproduction by photolithography or otherwise of official plats of surveys; for expenses of restoration to the public domain of lands in forest reserves and of lands temporarily withdrawn for forest-reserve purposes; and for expenses of hearings or other proceedings held by order of the General Land Office to determine the character of lands, whether alleged fraudulent entries are of that character or have been made in compliance with the law, and of hearings in disbarment proceedings, \$15,000.

Traveling expenses, maps, etc.

Restoration of lands to public domain.

Hearings.

Disbarment proceedings.

Surveying public lands: For surveys and resurveys of public lands, examination of surveys heretofore made and reported to be defective or fraudulent, inspecting mineral deposits, coal fields, and timber districts, making fragmentary surveys, and such other surveys or examinations as may be required for identification of lands for purposes of evidence in any suit or proceeding in behalf of the United States, under the supervision of the Commissioner of the General Land Office and direction of the Secretary of the Interior, \$1,000,000, including not to exceed \$5,000 for the purchase, exchange, operation, and maintenance of motor-propelled passenger-carrying vehicles: *Provided*, That not to exceed \$5,000 of this appropriation may be expended for salaries of employees of the field surveying service temporarily detailed to the General Land Office: *Provided further*, That not to exceed \$10,000 of this appropriation may be used for the survey, classification, and sale of the lands and timber of the so-called Oregon and California Railroad lands and the Coos Bay Wagon Road lands: *Provided further*, That this appropriation may be expended for surveys made under the supervision of the Commissioner of the General Land Office, but when expended for surveys that would not otherwise be chargeable hereto it shall be reimbursed from the applicable appropriation, fund, or special deposit.

Surveying public lands.

Vehicles.

*Provisos*.  
Temporarily detailed employees.  
Oregon and California Railroad and Coos Bay Wagon Road lands.

Surveys.

Registers: For salaries and commissions of registers of district land offices, \$78,000.

Registers.

Contingent expenses, land offices.

*Proviso.*  
Restriction.

Fire suppression, etc., Alaska.

Payments to States from sales of lands.

*Proviso.*  
Expenditures limited.  
48 Stat. 1227.  
31 U. S. C. § 725c.  
Coos Bay Wagon Road grant lands, etc.  
Payment of proceeds from sales of.

40 Stat. 1179.

*Proviso.*  
Expenditures limited.  
48 Stat. 1227.  
31 U. S. C. § 725c.

Revested Oregon and California Railroad, etc., grant lands.  
Conservation management.

50 Stat. 874.

Services in the District.  
Vehicles.

*Proviso.*  
Reimbursement.

50 Stat. 876.

Range improvements outside of grazing districts.

48 Stat. 1275, 1273; 49 Stat. 1978.  
49 U. S. C. §§ 315m, 315i; Supp. IV, §§ 315m, 315i.

*Proviso.*  
Limitation.

Contingent expenses of land offices: For clerk hire, rent, and other incidental expenses of the district land offices, including the expenses of depositing public money; traveling expenses of clerks detailed to examine the books and management of district land offices and to assist in the operation of said offices, and for traveling expenses of clerks transferred in the interest of the public service from one district land office to another, \$160,000: *Provided*, That no expenses chargeable to the Government shall be incurred by registers in the conduct of local land offices except upon previous specific authorization by the Commissioner of the General Land Office.

For the prevention and suppression of fires on the public domain in Alaska, including the maintenance of patrols, the employment of field personnel, and the use of airplanes by charter or otherwise, \$37,500, of which not to exceed \$5,000 may be used for the purchase, maintenance and operation of motor-propelled passenger-carrying vehicles.

Payments to States of 5 per centum of proceeds from sales of public lands: For payment to the several States of 5 per centum of the net proceeds of sales of public lands lying within their limits, for the purpose of education or of making public roads and improvements, \$2,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Payment of proceeds of sales of Coos Bay Wagon Road grant lands and timber: For payment of 25 per centum of the balance of the proceeds from sales of the Coos Bay Wagon Road grant lands and timber within each of the counties of Coos and Douglas, Oregon, after deducting the accrued taxes in said counties and a sum equal to \$2.50 per acre for the land title to which revested in the United States pursuant to the Act of February 26, 1919 (40 Stat. 1179), to be paid to the treasurer of the county for common schools, roads, highways, bridges, and port districts, \$25,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Revested Oregon and California Railroad and Reconveyed Coos Bay Wagon Road Grant Lands, Oregon: For carrying out the provisions of title I of the Act entitled "An Act relating to the revested Oregon and California Railroad and Reconveyed Coos Bay Wagon Road Grant Lands situated in the State of Oregon", approved August 28, 1937 (50 Stat. 874), including fire protection and patrol on these and adjacent and intermingled public lands, through cooperative agreements with Federal, State, and county agencies, or otherwise, and including travel and other necessary expenses, and including not to exceed \$5,000 for personal services in the District of Columbia, and not to exceed \$2,000 for the purchase, exchange, operation, and maintenance of motor-propelled passenger-carrying vehicles, \$150,000: *Provided*, That such expenditures shall be reimbursed from the 25 per centum referred to in section c, title II of the Act approved August 28, 1937, of the special fund designated the "Oregon and California Land Grant Fund".

Range improvements on public lands outside of grazing districts (receipt limitation): For construction, purchase, and maintenance of range improvements on the public lands subject to grazing leases under the provisions of section 15 and pursuant to the provisions of section 10 of the Act of June 28, 1934 (48 Stat. 1269), as amended by the Act of June 26, 1936 (49 Stat. 1976), \$60,000: *Provided*, That expenditures hereunder shall not exceed 25 per centum of all moneys received under the provisions of section 15 of said Act during the fiscal years 1939 and 1940.

Payment to Oklahoma from royalties, oil and gas, south half of Red River: For payment of 37½ per centum of the royalties derived from the south half of Red River in Oklahoma under the provisions of the Act of March 4, 1923 (30 U. S. C. 233), which shall be paid to the State of Oklahoma in lieu of all State and local taxes upon tribal funds accruing under said Act, to be expended by the State in the same manner as if received under section 35 of the Act approved February 25, 1920 (30 U. S. C. 191), \$7,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Oklahoma.  
Payment to, from  
royalties, south half of  
Red River.

42 Stat. 1448.  
30 U. S. C. § 233.  
In lieu of State, etc.,  
taxes.

41 Stat. 450.  
30 U. S. C. § 191.  
*Proviso*.  
Limitation.  
48 Stat. 1227.  
31 U. S. C. § 725c.

## BUREAU OF INDIAN AFFAIRS

### SALARIES

For the Commissioner of Indians Affairs and other personal services in the District of Columbia, \$533,100.

Salaries.

### GENERAL EXPENSES

For transportation and incidental expenses of officers and clerks of the Bureau of Indian Affairs when traveling on official duty; for radio, telegraph, and telephone toll messages on business pertaining to the Indian Service sent and received by the Bureau of Indian Affairs at Washington, and for other necessary expenses of the Indian Service for which no other appropriation is available, \$35,500.

Traveling, etc., ex-  
penses.

For advertising, inspection, storage, and all other expenses incident to the purchase of goods and supplies for the Indian Service and for payment of railroad, pipe-line, and other transportation costs of such goods and supplies, \$750,000: *Provided*, That no part of this appropriation shall be used in payment for any services except bill therefor is rendered within one year from the time the service is performed.

Supplies; purchase,  
transportation, etc.

*Proviso*.  
Restriction on pay-  
ments.

For maintaining law and order on Indian reservations, including pay of judges of Indian courts, pay of Indian police, and pay of employees engaged in the suppression of the traffic in intoxicating liquors, marihuana, and deleterious drugs among Indians, and including traveling expenses, supplies, and equipment, \$257,390.

Maintenance of law  
and order on Indian  
reservations.

For lease, purchase, construction, repair, and improvement of agency buildings, exclusive of hospital buildings, including the purchase of necessary lands for agency purposes and the installation, repair, and improvement of heating, lighting, power, and sewerage and water systems in connection therewith, \$200,000: *Provided*, That no part of this appropriation shall be available for the construction of any building the total cost of which is in excess of \$1,500: *Provided further*, That no part of this appropriation shall be available for tearing down or removing any building or buildings at the Federal Indian School at Tomah, Wisconsin.

Agency, etc., build-  
ings.  
Lease, purchase, etc.

*Provisos*.  
Construction limita-  
tions.

Tomah, Wis., Indi-  
an school, restriction.

For expenses of organizing Indian chartered corporations, or other tribal organizations, in accordance with the provisions of the Act of June 18, 1934 (48 Stat. 986), as supplemented and amended by the Acts of June 15, 1935 (49 Stat. 378), May 1, 1936 (49 Stat. 1250), and June 26, 1936 (49 Stat. 1967), including personal services, purchase of equipment and supplies, not to exceed \$3,000 for printing and binding, and other necessary expenses, \$80,000, of which not to exceed \$18,000 may be used for personal services in the District of Columbia: *Provided*, That in the discretion of the Secretary of the Interior, not to exceed \$3 per diem in lieu of subsistence may be allowed to Indians actually traveling away from their place of residence when assisting in organization work: *Provided further*, That no part of this appropriation shall be available for expenditure in

Tribal organizations,  
expenses.

48 Stat. 986; 49 Stat.  
378, 1250, 1967.  
25 U. S. C. § 469;  
Supp. IV, §§ 478a,  
478b; 48 U. S. C.,  
Supp. IV, §§ 358a, 362;  
25 U. S. C., Supp. IV,  
§§ 501-509.  
Services in the Dis-  
trict.

*Provisos*.  
Traveling allow-  
ances.

Expenditure in New  
Mexico.

that part of the State of New Mexico embraced in the Navajo Indian Reservation, and not to exceed \$5,000 shall be available for expenditure in said State.

Vehicles, Indian Service, maintenance.

Vehicles, Indian Service: Not to exceed \$479,800 of applicable appropriations made herein for the Bureau of Indian Affairs shall be available for the maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for the use of employees in the Indian field service, and the transportation of Indian school pupils, and not to exceed \$225,000 of applicable appropriations may be used for the purchase and exchange of motor-propelled passenger-carrying vehicles, and such vehicles shall be used only for official service, including the transportation of Indian school pupils.

Replacement of destroyed, etc., property.

Replacement of property destroyed by fire, flood, or storm: That to meet possible emergencies not exceeding \$35,000 of the appropriations made by this Act for support of reservation and nonreservation schools, for school and agency buildings, and for conservation of health among Indians shall be available, upon approval of the Secretary of the Interior, for replacing any buildings, equipment, supplies, livestock, or other property of those activities of the Indian Service above referred to which may be destroyed or rendered unserviceable by fire, flood, or storm: *Provided*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

*Proviso.*  
Report of diversions to Congress.

Attendance at meetings.

Authorization for attending health and educational meetings: Not to exceed \$7,000 shall be available from applicable funds for expenses (not membership fees) of employees of the Indian Service when authorized by the Secretary of the Interior to attend meetings of medical, health, educational, agricultural, forestry, engineering, and industrial associations in the interest of work among the Indians.

William C. Willahan, payment to.  
52 Stat. 1395.

For the relief of William C. Willahan, or his heirs, as authorized by and in conformity with sections 2, 3, and 4 of the Act of June 25, 1938 (Private Law Numbered 715, Seventy-fifth Congress), \$855.23, or so much thereof as may be necessary.

#### INDIAN LANDS

Pueblo Indians, N. Mex.  
Purchase of land and water rights, etc., from tribal funds.  
52 Stat. 299.

Purchase of land and water rights, and so forth, Pueblo Indians, New Mexico (tribal funds): The unexpended balance of the appropriation from the tribal funds to the credit of the Pojoaque Pueblo, New Mexico, contained in the Interior Department Appropriation Act, fiscal year 1939, for the purchase of additional land and water rights, the development of water for irrigation and domestic purposes, the purchase of equipment for industrial advancement, and for such other purposes, except per capita payments, as may be recommended by the governing officials of the Pueblo and be approved by the Commissioner of Indian Affairs, is hereby continued available for the same purposes and under the same conditions until expended.

Navajo Indians, Ariz.  
Purchase of land, reimbursable.  
Reappropriation.  
48 Stat. 1933.

48 Stat. 960.

Purchase of land for the Navajo Indians, Arizona, reimbursable: The unexpended balance of the appropriation contained in the Deficiency Appropriation Act, fiscal year 1934, for the purchase of land, and improvements thereon, including water rights, for the Navajo Indians in Arizona, as authorized by and in conformity with the provisions of the Act of June 14, 1934 (48 Stat. 961), is hereby continued available for the same purposes until June 30, 1940.

Purchase of land, from tribal funds.

52 Stat. 300.

Purchase of land for the Navajo Indians, Arizona (tribal funds): The unexpended balance of the appropriation of \$40,000 from funds to the credit of the Navajo tribe, contained in the Interior Department Appropriation Act, fiscal year 1939, for the purchase, in accordance

with the provisions of the Act of June 14, 1934 (48 Stat. 961), of lands from the New Mexico and Arizona Land Company within the Navajo Indian Reservation, Arizona, is hereby continued available for the same purpose and under the same conditions until June 30, 1940.

**Leasing of lands for Navajo Indians (tribal funds):** For lease, pending purchase, of land and water rights for the use and benefit of Indians of the Navajo Tribe in Arizona and New Mexico, \$20,000, payable from funds on deposit to the credit of the Navajo Tribe.

For the acquisition of lands, interest in lands, water rights and surface rights to lands, and for expenses incident to such acquisition, in accordance with the provisions of the Act of June 18, 1934 (48 Stat. 985), including personal services, purchase of equipment and supplies, and other necessary expenses, \$650,000, together with the unexpended balance of the appropriation for this purpose for the fiscal year 1939, of which not to exceed \$25,000 shall be available for personal services in the District of Columbia: *Provided*, That in addition to the amount herein appropriated the Secretary of the Interior may also incur obligations, and enter into contracts for the acquisition of additional land, not exceeding a total of \$300,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof, and appropriations hereafter made for the acquisition of land pursuant to the authorization contained in the Act of June 18, 1934, shall be available for the purpose of discharging the obligation or obligations so created: *Provided further*, That no part of the sum herein appropriated or of this contract authorization shall be used for the acquisition of land within the States of Arizona, Colorado, New Mexico, and Wyoming outside of the boundaries of existing Indian reservations.

The unexpended balance of the appropriation of \$25,000 contained in the Interior Department Appropriation Act, fiscal year 1938, for the payment of taxes, including penalties and interest, assessed against individually owned Indian land, title to which is held subject to restrictions against alienation or encumbrance except with the consent or approval of the Secretary of the Interior, when such land was purchased with trust or restricted funds with the understanding that after purchase it would be nontaxable, as authorized by the Act of June 20, 1936 (49 Stat. 1542), is hereby continued available for the same purposes until June 30, 1940.

**Purchase of land, Confederated Bands of Utes, Utah (tribal funds):** The unexpended balances of the amounts authorized to be expended by the Interior Department Appropriation Act for the fiscal year 1939 for the purchase of additional lands and improvements for the Confederated Bands of Ute Indians in Utah, are hereby continued available for the same purposes, and for the purchase of improvements on public-domain lands, until June 30, 1940.

**Purchase of land, Cheyenne River Reservation, South Dakota (tribal funds):** The unexpended balances of the appropriations from tribal funds of the Cheyenne River Indians, South Dakota, available during the fiscal year 1939 for the purchase of Indian-owned and privately owned land; and improvements thereon, in the Cheyenne River Reservation, South Dakota, are hereby continued available for the same purposes and under the same conditions, until June 30, 1940.

**Purchase of land, Fort Hall Reservation, Idaho (tribal funds):** The unexpended balance of the appropriation of \$40,000 contained in the Second Deficiency Appropriation Act, fiscal year 1938, for the purchase of Indian-owned and privately owned lands or interests

48 Stat. 960.

Lease of lands and water rights.

Acquisition of lands.

48 Stat. 984.

Balance reappropriated.  
52 Stat. 300.*Provisos.*  
Contracts.

48 Stat. 984.

Restriction on use of funds.

Restricted lands, balance for payment of taxes, etc., continued available.  
50 Stat. 573.49 Stat. 1542.  
25 U. S. C., Supp. IV, § 412a.Confederated Bands of Utes, Utah.  
Purchase of additional lands, etc.  
52 Stat. 300.Cheyenne River Reservation, S. Dak.  
Purchase of land, etc.  
52 Stat. 300.Fort Hall Reservation, Idaho.  
Purchase of land, etc.  
52 Stat. 1130.



Southern Ute Indians, Colo.  
Purchase of land for.  
52 Stat. 1130.

therein, and improvements thereon, payable from funds on deposit to the credit of the Fort Hall Indians, is hereby continued available, for the same purposes and under the same conditions, until June 30, 1940.

Purchase of land for the Southern Ute Indians, Colorado (tribal funds): The unexpended balance of the appropriation of \$20,000 contained in the Second Deficiency Appropriation Act, fiscal year 1938, for the purchase of land and improvements thereon for the Southern Ute Indians in Colorado, payable from funds on deposit to the credit of the Southern Ute Band of Ute Indians, is hereby continued available, for the same purposes and under the same conditions, until June 30, 1940.

Ute Mountain Indians, Colo.  
Purchase of land for.  
52 Stat. 1130.

Purchase of land for Ute Mountain Indians, Colorado (tribal funds): The unexpended balance of the appropriation of \$20,000 contained in the Second Deficiency Appropriation Act, fiscal year 1938, for the purchase of land and improvements thereon for the Ute Mountain Band of Indians in Colorado, payable from funds on deposit to the credit of the Ute Mountain Band, is hereby continued available, for the same purposes and under the same conditions, until June 30, 1940.

Yakima Reservation, Wash., boundary survey.

For completion of a survey of the disputed boundary of the Yakima Reservation, Washington, \$4,000, payable from funds on deposit in the Treasury to the credit of the Yakima Indian Tribe.

Improvement of land records.

Improvement of land records: For improvement of the land records in the Bureau of Indian Affairs, including personal services in the District of Columbia, printing and binding, purchase of equipment and supplies, and such other expenses as may be necessary to make permanent the land records of the Indian Service, \$10,000.

Loyal Shawnee Indians, Okla., payment to.  
46 Stat. 105.

Payment to loyal Shawnee Indians, Oklahoma: The unexpended balance of the appropriation of \$109,746.25 contained in the First Deficiency Appropriation Act, fiscal year 1930, for payment to the loyal Shawnee Indians, in settlement of their claim arising under the twelfth article of the treaty with said Indians proclaimed October 14, 1868 (15 Stat. 513), as authorized by and in accordance with the Act of March 4, 1929 (45 Stat. 1550), is hereby reappropriated and made available until expended for the purposes authorized by the said Act of March 4, 1929.

15 Stat. 516.  
45 Stat. 1550.

#### INDUSTRIAL ASSISTANCE AND ADVANCEMENT

Timber preservation, etc.

For the preservation of timber on Indian reservations and allotments other than the Menominee Indian Reservation in Wisconsin, the education of Indians in the proper care of forests, and the general administration of forestry and grazing work, including fire prevention and payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires, or taking or otherwise destroying timber, in contravention of law on Indian lands, \$341,500: *Provided*, That this appropriation shall be available for the expenses of administration of Indian forest lands from which timber is sold to the extent only that proceeds from the sales of timber from such lands are insufficient for that purpose.

*Proviso.*  
Restriction on use of funds.

Timber sales, etc., expenses; reimbursable.

For expenses incidental to the sale of timber, and for the expenses of administration, including fire prevention, of Indian forest lands from which such timber is sold to the extent that the proceeds of such sales are sufficient for that purpose, \$120,000, reimbursable to the United States as provided in the Act of February 14, 1920 (25 U. S. C. 413): *Provided*, That this appropriation shall be available for the payment of reasonable rewards for information leading to arrest and conviction of a person or persons setting forest fires, or taking or otherwise destroying timber, in contravention of law.

41 Stat. 415.  
25 U. S. C. § 413.  
*Proviso.*  
Rewards for information.

For the suppression or emergency prevention of forest fires on or threatening Indian reservations, \$15,000, together with \$25,000 from funds held by the United States in trust for the respective tribes of Indians interested: *Provided*, That not to exceed \$50,000 of appropriations herein made for timber operations shall be available upon the approval of the Secretary of the Interior, for fire-suppression or emergency prevention purposes: *Provided further*, That any diversions of appropriations made hereunder shall be reported to Congress in the annual Budget.

For transfer to the Geological Survey for expenditures to be made in inspecting mines and examining mineral deposits on Indian lands and in supervising mining operations on restricted, tribal, and allotted Indian lands leased under the provisions of the Acts of February 28, 1891 (25 U. S. C. 336, 371, 397), May 27, 1908 (35 Stat. 312), March 3, 1909 (25 U. S. C. 396), and other Acts authorizing the leasing of such lands for mining purposes, including not to exceed \$5,000 for the purchase and exchange (not to exceed \$2,000), maintenance, repair, and operation of passenger-carrying vehicles, and not to exceed \$11,000 for personal services in the District of Columbia, \$100,000, to be reimbursed under the provisions of the Act of February 14, 1920, as amended (25 U. S. C. 413), except that reimbursement shall not be required for expenditures in connection with nonproductive Indian lands.

For the purpose of obtaining remunerative employment for Indians, \$40,500.

For the purpose of developing agriculture and stock raising among the Indians, including necessary personnel, traveling and other expenses, and purchase of supplies and equipment, \$675,000, of which not to exceed \$15,000 may be used to conduct agricultural experiments and demonstrations on Indian school or agency farms and to maintain a supply of suitable plants or seed for issue to Indians, and not to exceed \$30,000 may be used for the operation and maintenance of a sheep-breeding station on the Navajo Reservation.

For the purpose of encouraging industry and self-support among the Indians and to aid them in the culture of fruits, grains, and other crops, \$175,000, which sum may be advanced to Indians for the purchase of seeds, animals, machinery, tools, implements, and other equipment; for advances to old, disabled, or indigent Indian allottees for their support; and for advances to Indians having irrigable allotments to assist them in the development and cultivation thereof: *Provided*, That except for the Navajo Indians in Arizona and New Mexico not to exceed \$25,000 of the amount herein appropriated shall be expended on any one reservation or for the benefit of any one tribe of Indians: *Provided further*, That not to exceed \$15,000 may be advanced to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years, under such rules and regulations as the Secretary of the Interior may prescribe.

Industrial assistance (tribal funds): For advances to individual members of the tribes for the construction of homes and for the purchase of seed, animals, machinery, tools, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support and burial, and Indians having irrigable allotments to assist them in the development and cultivation thereof, to be immediately available, \$200,000, payable from tribal funds as follows: San Carlos, Arizona, \$90,000; Menominee, Wisconsin, \$100,000; Lac Court Orielles, Wisconsin, \$10,000, and

Suppression, etc., of forest fires.

*Provisos.*  
Additional amount available.

Report of diversions to Congress.

Geological Survey.  
Transfer of sums to, for supervising mining operations.

26 Stat. 794; 35 Stat. 312, 783.  
25 U. S. C. §§ 336, 371, 396, 397.  
Vehicles.

Services in the District.  
Reimbursement.  
41 Stat. 415.  
25 U. S. C. § 413.

Obtaining employment for Indians.

Development of agriculture and stock raising.  
Agricultural experiments and demonstrations.

Navajo sheep-breeding station.

Loans to encourage industry, etc.

*Provisos.*  
Limitation; exception.

Advances to Indian youths for educational purposes.

Reimbursement.

Industrial assistance.  
Construction of homes, purchase of seed, equipment, etc.  
Advances to old, etc., Indians.

52 Stat. 302, 1130.

*Provisos.*  
Advances to Indian youths for educational courses; reimbursement.

Credits and availability.

Establishment, etc., of tribal enterprises.

Loans from revolving fund.

48 Stat. 986.  
25 U. S. C. § 470.  
Regulation of benefits to Menominee Tribe, Wis.

Menominee 5 per centum log fund not to be used.

Revolving loan fund, additional amount.

48 Stat. 986.

Loans to individual Indians, etc.

49 Stat. 1967.  
25 U. S. C., Supp. IV, § 501.  
Services in the District.

*Proviso.*  
Individuals of less than one-quarter degree of Indian blood.

Indian arts and crafts, development.

49 Stat. 891.  
25 U. S. C., Supp. IV, § 305.

Vehicles.

Printing and binding.

the unexpended balances of funds available under this head in the Interior Department Appropriation Act for the fiscal year 1939, and the Second Deficiency Act, fiscal year 1938, are hereby continued available during the fiscal year 1940 for the purposes for which they were appropriated: *Provided*, That advances may be made to worthy Indian youths to enable them to take educational courses, including courses in nursing, home economics, forestry, and other industrial subjects in colleges, universities, or other institutions, and advances so made shall be reimbursed in not to exceed eight years under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That all moneys reimbursed during the fiscal year 1940 shall be credited to the respective appropriations and be available for the purposes of this paragraph: *Provided further*, That funds available under this paragraph may be used for the establishment and operation of tribal enterprises when proposed by Indian tribes and approved by the Secretary of the Interior, and revenues derived therefrom shall be covered into the Treasury to the credit of the respective tribes: *Provided further*, That the unexpended balances of prior appropriations under this head for any tribe, including reimbursements to such appropriations and the appropriations made herein, may be advanced to such tribe, if incorporated, for making loans to members of the tribal corporation under rules and regulations established for the making of loans from the revolving loan fund authorized by the Act of June 18, 1934 (25 U. S. C. 470): *Provided further*, That the aforesaid \$100,000 for advances to individual members of the Menominee Tribe of Wisconsin shall be advanced under rules and regulations approved by the advisory council of the Menominee Indians and the Commissioner of Indian Affairs: *Provided further*, That in no event shall the "Menominee 5 per centum log fund" be used for this purpose.

For an additional amount to be added to the appropriations heretofore made, for the establishment of a revolving fund for the purpose of making and administering loans to Indian chartered corporations in accordance with the Act of June 18, 1934 (48 Stat. 986), and of making and administering loans to individual Indians and to associations or corporate groups of Indians of Oklahoma in accordance with the Act of June 26, 1936 (49 Stat. 1967), \$400,000, of which amount not to exceed \$22,500 shall be available for personal services in the District of Columbia, and \$100,000 shall be available for personal services in the field, for traveling expenses of employees, for purchase of equipment and supplies, and for other necessary expenses of administering such loans, including not more than \$3,500 for printing and binding: *Provided*, That hereafter no individual of less than one-quarter degree of Indian blood shall be eligible for a loan from funds made available in accordance with the provisions of the Act of June 18, 1934 (48 Stat. 986), and the Act of June 26, 1936 (49 Stat. 1967).

For the development, under the direction of the Commissioner of Indian Affairs, of Indian arts and crafts, as authorized by the Act of August 27, 1935 (49 Stat. 891), including personal services, purchase and transportation of equipment and supplies, purchase of periodicals, directories, and books of reference, purchase and operation of motor-propelled passenger-carrying vehicles, telegraph and telephone services, cost of packing, crating, drayage, and transportation of personal effects of employees upon permanent change of station, expenses of exhibits and of attendance at meetings concerned with the development of Indian arts and crafts, traveling expenses, including payment of actual transportation expenses, not to exceed \$2,500 for printing and binding, and other necessary expenses,

\$46,250, of which not to exceed \$16,000 shall be available for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be used to pay any salary at a rate exceeding \$7,500 per annum: *Provided further*, That hereafter any appropriation for the development of Indian arts and crafts, made pursuant to the Act of August 27, 1935 (49 Stat. 891), shall be available for the payment of not to exceed \$10 per diem in lieu of subsistence and other expenses of members of the Indian Arts and Crafts Board, serving without other compensation from the United States while absent from their homes on official business of the Board.

Suppressing contagious diseases among livestock of Indians: The unexpended balance of the appropriation of \$7,500 contained in the Second Deficiency Appropriation Act, fiscal year 1937, for reimbursing Indians of the Mescalero Reservation, New Mexico, for stock destroyed on account of being infected with Malta fever, and for expenses in connection with the eradication and prevention of this disease, is hereby made available for the same purposes for the fiscal year 1940.

*Provisos.*  
Salary limitation.

Indian Arts and  
Crafts Board, ex-  
penses.  
49 Stat. 891,  
25 U. S. C., Supp.  
IV, § 305.

Suppressing con-  
tagious diseases among  
livestock of Indians.  
50 Stat. 221.

#### DEVELOPMENT OF WATER SUPPLY

For the development, rehabilitation, repair, maintenance, and operation of domestic and stock water facilities on the Navajo Reservation in Arizona, New Mexico, and Utah, the Hopi Reservation in Arizona, the Papago Reservation in Arizona, and the several Pueblos in New Mexico, including the purchase and installation of pumping and other equipment, \$100,000.

Development and  
conservation in Ari-  
zona, New Mexico,  
and Utah.

#### IRRIGATION AND DRAINAGE

For the construction, repair, and maintenance of irrigation systems, and for purchase or rental of irrigation tools and appliances, water rights, ditches, and lands necessary for irrigation purposes for Indian reservations and allotments; for operation of irrigation systems or appurtenances thereto when no other funds are applicable or available for the purpose; for drainage and protection of irrigable lands from damage by floods or loss of water rights, upon the Indian irrigation projects named below, in not to exceed the following amounts, respectively:

Construction, main-  
tenance, etc., of desig-  
nated projects.  
*Post*, p. 1314.

Miscellaneous projects, \$20,000; Arizona: Ak Chin, \$4,000; Chiu Chui, \$4,000; Ganado, \$1,500, together with \$1,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; Navajo and Hopi, miscellaneous projects, Arizona and New Mexico, \$13,500; San Xavier, \$2,000; California: Coachella Valley, \$1,000; Morongo, \$4,000; Pala and Rincon, \$3,500, together with \$500, from which expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of said Repeal Act; Colorado: Southern Ute, \$13,000, together with \$3,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the said Repeal Act; Montana: Tongue River, \$3,000; Nevada: Pyramid Lake, \$4,000; Walker River, \$6,000; Western Shoshone, \$10,000; New Mexico: Miscellaneous Pueblos, \$27,500; Oregon: Warm Springs, \$3,000; Washington: Colville, \$5,000, together with \$1,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of said Repeal Act; Lummi Diking Project, \$1,000, together with \$2,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of said Repeal Act;

Miscellaneous proj-  
ects.  
Limitation.

48 Stat. 1227.  
31 U. S. C. § 725c.

Administrative ex-  
penses.

Total; reimbursable.  
*Provisos.*  
Amounts inter-  
changeable; limita-  
tion.

Apportionment of  
expenses on per-acre  
basis.

Unpaid charges a  
first lien.

San Carlos project,  
Ariz.  
Maintenance, etc.

Emergencies.

Limitation.

48 Stat. 1227.  
31 U. S. C. § 725c.

Pima Indians, Ariz.  
Subjugation and  
cropping operations  
on lands of.

Irrigation operation,  
etc., charges.

Colorado River Res-  
ervation, Ariz.  
Maintenance, etc.,  
of system.  
36 Stat. 273.  
Reimbursable.

48 Stat. 1227.  
31 U. S. C. § 725c.

San Carlos Reser-  
vation, Ariz.  
Operation, etc., of  
pumping plants.

*Proviso.*  
Reimbursement.

Yuma Reservation,  
Calif.-Ariz.  
Reclamation, etc.,  
charges.

Fort Hall system,  
Idaho.  
Maintenance, etc.  
Limitation.

48 Stat. 1227.  
31 U. S. C. § 725c.

Fort Belknap Res-  
ervation, Mont.  
Maintenance, etc.,  
of systems.  
Limitation.

For necessary miscellaneous expenses incident to the general admin-  
istration of Indian irrigation projects, including pay of employees  
and their traveling and incidental expenses, \$75,000;

In all, for irrigation on Indian reservations, not to exceed \$208,500,  
reimbursable: *Provided*, That the foregoing amounts shall be avail-  
able interchangeably, in the discretion of the Secretary of the Interior,  
for the necessary expenditures for damages by floods and other  
unforeseen exigencies, but the amount so interchanged shall not  
exceed in the aggregate 10 per centum of all the amounts so appro-  
priated: *Provided further*, That the cost of irrigation projects and  
of operating and maintaining such projects where reimbursement  
thereof is required by law shall be apportioned on a per-acre basis  
against the lands under the respective projects and shall be collected  
by the Secretary of the Interior as required by such law, and any  
unpaid charges outstanding against such lands shall constitute a first  
lien thereon which shall be recited in any patent or instrument issued  
for such lands.

For operation and maintenance of the San Carlos project for the  
irrigation of lands in the Gila River Indian Reservation, Arizona,  
\$140,000 (operation and maintenance collections) and \$180,000 (power  
revenues), of which latter sum not to exceed \$24,000 shall be available  
for major repairs in case of unforeseen emergencies caused by fire,  
flood, or storm, from which amount, of \$140,000 and \$180,000, respec-  
tively, expenditures shall not exceed the aggregate receipts covered  
into the Treasury in accordance with section 4 of the Permanent  
Appropriation Repeal Act, 1934; in all, \$320,000.

For continuing subjugation and for cropping operations on the  
lands of the Pima Indians in Arizona, there shall be available not  
to exceed \$200,000 of the revenues derived from these operations and  
deposited into the Treasury of the United States to the credit of such  
Indians, and such revenues are hereby made available for payment  
of irrigation operation and maintenance charges assessed against tribal  
or allotted lands of said Pima Indians.

For improvement, operation, and maintenance of the pumping  
plants and irrigation system on the Colorado River Indian Reserva-  
tion, Arizona, as provided in the Act of April 4, 1910 (36 Stat. 273),  
\$20,000, reimbursable, together with \$20,000, from which amount  
expenditures shall not exceed the aggregate receipts covered into the  
Treasury in accordance with section 4 of the Permanent Appropria-  
tion Repeal Act, 1934.

Operation and maintenance, pumping plants, San Carlos Reserva-  
tion, Arizona (tribal funds): For the operation and maintenance of  
pumping plants for the irrigation of lands on the San Carlos Reserva-  
tion, in Arizona, \$5,000, to be paid from the funds held by the United  
States in trust for the Indians of such reservation: *Provided*, That  
the sum so used shall be reimbursed to the tribe by the Indians bene-  
fited under such rules and regulations as the Secretary of the Interior  
may prescribe.

For reclamation and maintenance charges on Indian lands within  
the Yuma Reservation, California, and on ten acres within each of  
the eleven Yuma homestead entries in Arizona under the Yuma  
reclamation project, \$3,500, reimbursable.

For improvements, maintenance, and operation of the Fort Hall  
irrigation system, Idaho, \$43,000, together with \$25,000, from which  
amount expenditures shall not exceed the aggregate receipts covered  
into the Treasury in accordance with section 4 of the Permanent  
Appropriation Repeal Act, 1934.

For maintenance and operation, repairs, and purchase of stored  
waters, irrigation systems, Fort Belknap Reservation, Montana,  
\$14,800, reimbursable, together with \$4,200 from which amount expen-

ditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

For maintenance and operation of the several units of the Fort Peck project, Montana, including not to exceed four thousand acres under the West Side Canal of the Poplar River Division, \$19,000, reimbursable, together with \$3,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

For the improvement, maintenance, and operation of the irrigation systems on the Blackfeet Indian Reservation in Montana, \$15,000, reimbursable, together with \$6,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

For operation and maintenance of the irrigation and power systems on the Flathead Reservation, Montana, \$10,000, reimbursable, together with \$120,000 (operation and maintenance collections) and \$75,000 (power revenues), from which amounts of \$120,000 and \$75,000, respectively, expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934; in all, \$205,000.

For improvement, maintenance, and operation of the irrigation systems on the Crow Reservation, Montana, including maintenance assessments payable to the Two Leggings Water Users' Association and Bozeman Trail Ditch Company, Montana, properly assessable against lands allotted to the Indians and irrigable thereunder, \$5,000, reimbursable, together with \$35,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

For payment of annual installment of reclamation charges against Paiute Indian lands within the Newlands reclamation project, Nevada, \$5,381; and for payment in advance, as provided by district law, of operation and maintenance assessments, including assessments for the operation of drains to the Truckee-Carson irrigation district, \$6,053, to be immediately available; in all, \$11,434.

For operation and maintenance of the Hogback irrigation project on the Navajo Reservation in New Mexico, \$15,000, reimbursable, together with \$5,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

For maintenance and operation of the Fruitlands irrigation project, Navajo Reservation, New Mexico, \$14,000, reimbursable, together with \$4,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

For operation and maintenance assessments on Indian lands, and the buildings and grounds of the Albuquerque Indian School, within the Middle Rio Grande Conservancy District, New Mexico, \$10,139, of which amount \$7,168 shall be reimbursed in accordance with existing law.

For final payment to the Middle Rio Grande Conservancy District, New Mexico, in accordance with the provisions of the Acts of March 13, 1928 (45 Stat. 312), and June 20, 1938 (52 Stat. 778-779), to be immediately available, \$36,000, of which \$15,529.29 shall be reimbursed to the United States in accordance with existing law; and the unexpended balance of the appropriation of \$311,452 for payment to the Middle Rio Grande Conservancy District contained in the Act

48 Stat. 1227.  
31 U. S. C. § 725c.

Fort Peck project,  
Mont.  
Maintenance, etc.

Limitation.

48 Stat. 1227.  
31 U. S. C. § 725c.

Blackfeet Reserva-  
tion, Mont.  
Maintenance, etc.,  
of systems.  
Limitation.

48 Stat. 1227.  
31 U. S. C. § 725c.

Flathead Reserva-  
tion, Mont.  
Maintenance, etc.

Limitation.

48 Stat. 1227.  
31 U. S. C. § 725c.

Crow Reservation,  
Mont.  
Maintenance, etc.

Reimbursable.  
Limitation.

48 Stat. 1227.  
31 U. S. C. § 725c.

Newlands project,  
Nev.  
Payment of charges  
against Paiute lands.

Drains to Truckee-  
Carson district.

Navajo Reserva-  
tion, N. Mex.  
Operation of Hog-  
back project.

48 Stat. 1227.  
31 U. S. C. § 725c.  
Fruitlands project,  
N. Mex.  
Maintenance, etc.  
Limitation.

48 Stat. 1227.  
31 U. S. C. § 725c.

Middle Rio Grande  
Conservancy District,  
N. Mex.  
Maintenance, etc.

Final payment to.

45 Stat. 312; 52 Stat.  
778.  
Reimbursement.

Unexpended bal-  
ance reappropriated.

49 Stat. 188.

Klamath Reserva-  
tion, Oreg.  
Operation of proj-  
ects on; reimbursable.

48 Stat. 1227.  
31 U. S. C. § 725c.

Uncompahgre, etc.,  
Utes in Utah.  
Irrigation of allotted  
lands.

34 Stat. 375.  
Reimbursable.

Yakima Reserva-  
tion, Wash.  
Wapato system,  
maintenance, etc.

48 Stat. 1227.  
31 U. S. C. § 725c.  
Reimbursement to  
reclamation fund for  
reservoir mainte-  
nance, etc.

33 Stat. 604.  
Wind River Reser-  
vation, Wyo.  
Maintenance, etc.

Riverton-Le Clair  
district.  
Big Bend district.

48 Stat. 1227.  
31 U. S. C. § 725c.  
Construction, re-  
pair, etc., of designated  
projects.

Arizona.  
49 Stat. 1039.

California.

Colorado.  
Montana.  
Crow Reservation,  
dam.

of May 9, 1935 (49 Stat. 188), is hereby reappropriated and made available for the same purposes during the fiscal year 1940.

For improvements, maintenance, and operation of miscellaneous irrigation projects on the Klamath Reservation, Oregon, \$3,000, reimbursable, together with \$4,000, from which amount expenditures shall not exceed the aggregate receipts from operation and maintenance collections on the Sand Creek and Modoc Point units covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

For continuing operation and maintenance and betterment of the irrigation system to irrigate allotted lands of the Uncompahgre, Uintah, and White River Utes in Utah, authorized under the Act of June 21, 1906 (34 Stat. 375), \$20,000, reimbursable, together with \$38,000, from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

For operation and maintenance of the Wapato irrigation and drainage system, and auxiliary units thereof, Yakima Indian Reservation, Washington, \$1,000, reimbursable, together with \$164,000 (collections from the water users on the Wapato-Satus, Toppenish-Simcoe, and Ahtanum units), from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

For reimbursement to the reclamation fund the proportionate expense of operation and maintenance of the reservoirs for furnishing stored water to lands in the Yakima Indian Reservation, Washington, in accordance with the provisions of section 22 of the Act of August 1, 1914 (38 Stat. 604), \$11,000.

For operation and maintenance of irrigation systems within the ceded and diminished portions of the Wind River Reservation, Wyoming, including the Indians' pro rata share of the cost of operation and maintenance of the Riverton-Le Clair irrigation district and the Big Bend drainage district on the ceded reservation, \$30,000, reimbursable, together with \$20,000 from which amount expenditures shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

For the construction, repair, and rehabilitation of irrigation systems on Indian reservations; for the purchase or rental of equipment, tools, and appliances; for the acquisition of rights-of-way, and payment of damages in connection with such irrigation systems; for the development of domestic and stock water and water for subsistence gardens; for the purchase of water rights, ditches, and lands needed for such projects; and for drainage and protection of irrigable lands from damage by floods or loss of water rights, as follows:

Arizona: Colorado River, as authorized by and in accordance with section 2 of the River and Harbor Act, approved August 30, 1935 (49 Stat. 1039, 1040), \$1,500,000, reimbursable; Hopi, \$25,000, reimbursable; Navajo, Arizona and New Mexico, \$50,000, reimbursable; domestic and stock water, \$50,000, reimbursable; Papago, domestic and stock water, \$20,000, reimbursable; Salt River, \$10,000, reimbursable; San Xavier, \$30,000, reimbursable;

California: Mission, \$10,000, reimbursable; Sacramento, \$10,000, reimbursable; Owens Valley (Carson Agency, Nevada), \$75,000, reimbursable;

Colorado: Southern Ute, \$25,000, reimbursable;

Montana: Crow: The Secretary of the Interior may incur obligations and enter into a contract or contracts not exceeding \$500,000 for the completion of a storage dam and reservoir on the Crow Indian Reservation, Montana, at a total cost of not to exceed \$1,000,000, and his action in so doing shall be deemed a contractual obligation of the

Federal Government for the payment of the cost thereof, and appropriations hereafter made for this project shall be available for the purpose of discharging the obligation or obligations so created; Flathead, \$500,000, reimbursable; Fort Belknap, \$19,000, reimbursable; Blackfeet, \$50,000, reimbursable; Fort Peck, \$50,000, reimbursable;

Nevada: Western Shoshone, \$25,000, reimbursable; Walker River, \$10,000, reimbursable; Pyramid Lake, \$75,000, reimbursable;

New Mexico: Mescalero, \$10,000, reimbursable, Pueblo, \$75,000, reimbursable;

Utah: Uintah, \$20,000, reimbursable;

Washington: Wapato, \$200,000, reimbursable; Colville, \$25,000, reimbursable;

Wyoming: Wind River, \$15,000, reimbursable;

Miscellaneous garden tracts, \$60,000, reimbursable;

For surveys, investigations, and administrative expenses, including personal services in the District of Columbia and elsewhere, and not to exceed \$3,000 for printing and binding, \$125,000, reimbursable;

In all, \$3,064,000, to be immediately available, which amount, together with the unexpended balances of funds made available under this head in the Interior Department Appropriation Act, fiscal year 1939, shall remain available until June 30, 1940: *Provided*, That the foregoing amounts may be used interchangeably in the discretion of the Secretary of the Interior, but not more than 10 per centum of any specific amount shall be transferred to any other amount, and no appropriation shall be increased by more than 15 per centum.

Nevada.

New Mexico.

Utah.

Washington.

Wyoming.

Miscellaneous garden tracts.  
Surveys, investigations, etc.  
Printing and binding.

Availability.

52 Stat. 307.  
*Proviso.*  
Amounts interchangeable.

#### EDUCATION

For the support of Indian schools not otherwise provided for, and for other Indian educational purposes, including apprentice teachers for reservation and nonreservation schools, educational facilities authorized by treaty provisions, care of Indian children of school age attending public and private schools, and tuition and other assistance for Indian pupils attending public schools, \$6,034,790: *Provided*, That not to exceed \$20,000 of this appropriation may be used for the support and education of deaf and dumb or blind, physically handicapped, or mentally deficient Indian children: *Provided further*, That \$60,000 of this appropriation shall be available for subsistence of pupils in reservation and nonreservation boarding schools during summer months: *Provided further*, That not more than \$15,000 of the amount herein appropriated may be expended for the tuition (which may be paid in advance) of Indian pupils attending vocational or higher educational institutions, under such rules and regulations as the Secretary of the Interior may prescribe: *Provided further*, That formal contracts shall not be required, for compliance with section 3744 of the Revised Statutes (41 U. S. C. 16), for payment (which may be made from the date of admission) of tuition and for care of Indian pupils attending public and private schools, higher educational institutions, or schools for the deaf and dumb, blind, physically handicapped, or mentally deficient: *Provided further*, That not to exceed \$10,000 of this appropriation may be used for printing and binding (including illustrations) in authorized Indian-school printing plants: *Provided further*, That no part of any appropriation in this Act for the Bureau of Indian Affairs shall be available for expenses of travel for the study of educational systems or practices outside the continental limits of the United States and the Territory of Alaska.

Support of Indian schools, etc.

*Provisos.*  
Deaf and dumb or blind, etc.

Subsistence, boarding schools.

Vocational, etc., courses, tuition.

Formal contracts not required.  
R. S. § 3744.  
41 U. S. C. § 16.

Printing and binding, limitation.

Travel outside continental United States, limitation.

Support of schools from tribal funds.

Support of Indian schools from tribal funds: For the support of Indian schools, and for other educational purposes, including care of Indian children of school age attending public and private schools,



44 Stat. 560.  
25 U. S. C. § 155.  
Chippewas in Min-  
nesota.

25 Stat. 645.  
*Proviso.*  
Formal contracts  
not required.  
R. S. § 3744.  
41 U. S. C. § 16.

Saint Louis Mission  
Boarding School,  
Okla.  
Osage pupils.

Vocational and  
trade schools, educa-  
tional loans; reimbur-  
sable.

48 Stat. 986.  
25 U. S. C. § 471.

*Provisos.*  
Liberal-arts courses.

Advances, reim-  
bursable.

School buildings.  
Lease, improve-  
ment, etc.

*Proviso.*  
Construction, etc.,  
under Works Progress  
Administration or Na-  
tional Youth Admin-  
istration.

Nonreservation  
boarding schools.  
Support, etc., of  
designated.

Phoenix, Ariz.

Sherman Institute,  
Riverside, Calif.

tuition and other assistance for Indian pupils attending public schools, and support and education of deaf and dumb or blind, physically handicapped, or mentally deficient Indian children, there may be expended from Indian tribal funds and from school revenues arising under the Act of May 17, 1926 (25 U. S. C. 155), not more than \$305,250, including not to exceed \$63,750 for payment of tuition for Chippewa Indian children enrolled in public schools and care of children of school age attending private schools in the State of Minnesota, payable from the principal sum on deposit to the credit of the Chippewa Indians in the State of Minnesota arising under section 7 of the Act of January 14, 1889 (25 Stat. 645): *Provided*, That formal contracts shall not be required, for compliance with section 3744 of the Revised Statutes (41 U. S. C. 16), for payment (which may be made from the date of admission) of tuition and for care of Indian pupils attending public schools, or schools for the deaf and dumb, blind, physically handicapped, or mentally deficient.

Education, Osage Nation, Oklahoma (tribal funds): For the education of unallotted Osage Indian children in the Saint Louis Mission Boarding School, Oklahoma, \$2,000, payable from funds held in trust by the United States for the Osage Tribe.

For reimbursable loans to Indians for the payment of tuition and other expenses in recognized vocational and trade schools, including colleges and universities offering recognized vocational, trade, and professional courses, in accordance with the provisions of the Act of June 18, 1934 (48 Stat. 986), and for apprentice training in manufacturing and other commercial establishments, \$135,000: *Provided*, That not more than \$50,000 of the amount available for the fiscal year 1940 shall be available for loans to Indian students pursuing liberal-arts courses in high schools and colleges: *Provided further*, That advances made under this authorization shall be reimbursed in not to exceed eight years, under such rules and regulations as the Secretary of the Interior may prescribe.

For lease, purchase, repair, and improvement of buildings at Indian schools not otherwise provided for, including the purchase of necessary lands for school purposes and the installation, repair, and improvement of heating, lighting, power, sewer, and water systems in connection therewith, and including not to exceed \$15,000 for the purchase of materials for the use of Indian pupils in the construction of buildings (not to exceed \$1,500 for any one building) at Indian schools not otherwise provided for, \$462,200: *Provided*, That the foregoing appropriation, and appropriations in this Act for repairs and improvements at nonreservation boarding schools, shall be available to provide sponsor's contributions to projects for the construction, repair, or improvement of Indian school buildings approved by and carried on under funds of the Works Progress Administration or the National Youth Administration.

For support and education of Indian pupils at the following non-reservation boarding schools in not to exceed the following amounts, respectively:

Phoenix, Arizona: For four hundred and fifty pupils, including not to exceed \$2,500 for printing and issuing school paper, \$154,750; for pay of superintendent or other officer in charge, drayage, and general repairs and improvements, \$25,000; for printing equipment, \$6,000; in all, \$185,750;

Sherman Institute, Riverside, California: For six hundred and fifty pupils, including not to exceed \$2,000 for printing and issuing school paper, \$221,000; for pay of superintendent, drayage, and general repairs and improvements, \$23,500; for printing equipment, \$6,000; in all, \$250,500;

Haskell Institute, Lawrence, Kansas: For six hundred and twenty-five pupils, including not to exceed \$2,500 for printing and issuing school paper, \$212,500; for pay of superintendent, drayage, and general repairs and improvements, including necessary drainage work, \$25,000; in all, \$237,500;	Haskell Institute, Lawrence, Kans.
Pipestone, Minnesota: For three hundred pupils, \$97,750; for pay of superintendent, drayage, and general repairs and improvements, \$16,000; in all, \$113,750;	Pipestone, Minn.
Carson City, Nevada: For five hundred and twenty-five pupils, \$168,500; for pay of principal, drayage, and general repairs and improvements, \$20,000; for the purchase of land and improvements, including water rights, livestock and farm equipment, and for the development of a farm unit, including the erection of improvements and the purchase of machinery and equipment, \$50,000; in all, \$238,500;	Carson City, Nev.
Albuquerque, New Mexico: For six hundred pupils, \$204,000; for pay of superintendent or other officer in charge, drayage, and general repairs and improvements, \$25,000; for the purchase of land and improvements thereon, \$37,500; in all, \$266,500;	Albuquerque, N. Mex.
Santa Fe, New Mexico: For four hundred pupils, \$142,000; for drayage, and general repairs and improvements, \$15,000; in all, \$157,000;	Santa Fe, N. Mex.
Wahpeton, North Dakota: For three hundred pupils, \$97,250; for pay of superintendent, drayage, and general repairs and improvements, \$13,000; in all, \$110,250;	Wahpeton, N. Dak.
Chilocco, Oklahoma: For six hundred and fifty pupils, including not to exceed \$2,000 for printing and issuing school paper, \$221,000; for pay of superintendent, drayage, and general repairs and improvements, \$25,000; in all, \$246,000;	Chilocco, Okla.
Sequoyah Orphan Training School, near Tahlequah, Oklahoma: For three hundred and fifty orphan Indian children of the State of Oklahoma belonging to the restricted class, \$114,250; for pay of superintendent, drayage, and general repairs and improvements, \$15,000; in all, \$129,250;	Sequoyah Orphan Training School, Okla.
Carter Seminary, Oklahoma: For one hundred and sixty-five pupils, \$57,525; for pay of principal, drayage, and general repairs and improvements, \$7,000; in all, \$64,525;	Carter Seminary, Okla.
Euchee, Oklahoma: For one hundred and fifteen pupils, \$41,025; for pay of principal, drayage, and general repairs and improvements, \$7,000; in all, \$48,025;	Euchee, Okla.
Eufaula, Oklahoma: For one hundred and forty pupils, \$48,650; for pay of principal, drayage, and general repairs and improvements, \$7,000; in all, \$55,650;	Eufaula, Okla.
Jones Academy, Oklahoma: For one hundred and seventy-five pupils, \$61,125; for pay of principal, drayage, and general repairs and improvements, \$7,000; in all, \$68,125;	Jones Academy, Okla.
Wheelock Academy, Oklahoma: For one hundred and thirty pupils, \$45,050; for pay of principal, drayage, and general repairs and improvements, \$7,000; in all, \$52,050;	Wheelock Acade- my, Okla.
Chemawa, Oregon: For four hundred and fifty pupils, including not to exceed \$1,000 for printing and issuing school paper, \$152,250; for local vocational-training program directed from the school, \$10,000; for pay of superintendent, drayage, and general repairs and improvements, \$20,000; in all, \$182,250;	Chemawa, Oreg.
Flandreau, South Dakota: For four hundred and fifty pupils, \$159,750; for pay of superintendent, drayage, and general repairs and improvements, \$19,000; in all, \$178,750;	Flandreau, S. Dak.
Pierre, South Dakota: For three hundred pupils, \$97,750; for pay of superintendent, drayage, and general repairs and improvements, \$16,000; in all, \$113,750;	Pierre, S. Dak.

Total, nonreservation boarding schools.  
*Proviso.*  
Sums interchangeable.

Report to Congress.

Public and special Indian day schools, Five Civilized Tribes, etc., tuition.

*Proviso.*  
Employment of public-school teachers when facilities inadequate.

Alaska natives. Support, education, relief of destitution, etc.

Miscellaneous expenses.

*Proviso.*  
Report to Congress.

In all, for above-named nonreservation boarding schools, not to exceed \$2,698,125: *Provided*, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures for similar purposes in the various boarding schools named, but not more than 10 per centum shall be added to the amount appropriated for any one of said boarding schools or for any particular item within any boarding school. Any such interchanges shall be reported to Congress in the annual Budget.

For tuition and for care and other assistance for Indian pupils attending public schools and special Indian day schools in the Cherokee, Creek, Choctaw, Chickasaw, and Seminole Nations and the Quapaw Agency in Oklahoma, \$397,200, to be expended in the discretion of the Secretary of the Interior and under rules and regulations to be prescribed by him: *Provided*, That not to exceed \$21,500 may be expended for the payment of salaries of public-school teachers, employed by the State, county, or district in special Indian day schools in full-blood Indian communities, where there are not adequate white day schools available for their attendance.

Natives in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction, to provide for support and education and relief of destitution of the Eskimos, Aleuts, Indians, and other natives of Alaska, including necessary traveling expenses of pupils to and from boarding schools in Alaska; purchase, repair, and rental of school buildings, including purchase of necessary lands; textbooks and industrial apparatus; pay and necessary traveling expenses of superintendents, teachers, physicians, and other employees; repair, equipment, maintenance, and operation of vessels; and all other necessary miscellaneous expenses which are not included under the above special heads, \$951,380, to be immediately available and to remain available until June 30, 1941: *Provided*, That a report shall be made to Congress covering expenditures from the amount herein provided for relief of destitution.

#### CONSERVATION OF HEALTH

Designated expenses.

For conservation of health among Indians, including equipment, materials, and supplies; repairs and improvements to buildings and plants; compensation and traveling expenses of officers and employees and renting of quarters for them when necessary; transportation of patients and attendants to and from hospitals and sanatoria; returning to their former homes and interring the remains of deceased patients; and not exceeding \$25,000 for clinical surveys and general medical research in connection with tuberculosis, trachoma, and venereal and other disease conditions among Indians, including cooperation with State and other organizations engaged in similar work and payment of traveling expenses and per diem of physicians, nurses, and other persons whose services are donated by such organizations, and including printing and binding circulars and pamphlets for use in preventing and suppressing trachoma and other contagious and infectious diseases, \$5,088,170, including not to exceed \$3,743,060 for the following-named hospitals and sanatoria:

Suppressing trachoma, etc.

Allotments to specified hospitals.

Arizona.

Arizona: Indian Oasis Hospital, \$27,260; Kayenta Sanatorium, \$52,000; Fort Defiance Sanatorium and Southern Navajo General Hospital, \$268,780; Phoenix Sanatorium, \$107,560; Pima Hospital, \$27,600; Truxton Canyon Hospital, \$14,000; Western Navajo Hospital, \$35,700; Chin Lee Hospital, \$16,620; Fort Apache Hospital, \$29,700; Hopi Hospital, \$40,000; Leupp Hospital, \$27,800; San Carlos Hospital, \$32,300; Tohatchi Hospital, \$17,200; Colorado River Hospital, \$22,000; San Xavier Sanatorium, \$45,000; Phoenix Hospital, \$42,000; Winslow Sanatorium, \$60,000;

California: Hoopa Valley Hospital, \$25,000; Soboba Hospital, \$25,620; Fort Bidwell Hospital, \$25,000; Fort Yuma Hospital, \$22,000;

Colorado: Ute Mountain Hospital, \$15,000; Edward T. Taylor Hospital, \$25,000;

Idaho: Fort Lapwai Sanatorium, \$90,000; Fort Hall Hospitals, \$15,900;

Iowa: Sac and Fox Sanatorium, \$75,000;

Minnesota: Pipestone Hospital, \$22,500; Cass Lake Hospital, \$30,000; Fond du Lac Hospital, \$25,000; Red Lake Hospital, \$22,500; White Earth Hospital, \$22,000;

Mississippi: Choctaw Hospital, \$25,000;

Montana: Blackfeet Hospital, \$45,000; Fort Peck Hospital, \$26,400; Crow Hospital, \$32,000; Fort Belknap Hospital, \$30,000; Tongue River Hospital, \$28,000;

Nebraska: Winnebago Hospital, \$47,000;

Nevada: Carson Hospital, \$27,000; Walker River Hospital, \$25,000; Western Shoshone Hospital, \$20,000;

New Mexico: Albuquerque Sanatorium, \$104,660; Jicarilla Hospital and Sanatorium, \$62,620; Mescalero Hospital, \$23,000; Eastern Navajo Hospital, \$55,000; Northern Navajo Hospital, \$45,000; Taos Hospital, \$20,000; Zuñi Hospital, \$35,000; Albuquerque Hospital, \$50,000; Charles H. Burke Hospital, \$30,000; Santa Fe Hospital, \$44,000; Toadlena Hospital, \$13,000;

North Carolina: Cherokee Hospital, \$25,000;

North Dakota: Turtle Mountain Hospital, \$41,600; Fort Berthold Hospital, \$18,000; Fort Totten Hospital, \$23,000; Standing Rock Hospital, \$38,000; Fort Totten Preventorium, \$20,000;

Oklahoma: Cheyenne and Arapahoe Hospital, \$36,000; Choctaw and Chickasaw Sanatorium and General Hospital, \$195,000; Shawnee Sanatorium, \$100,000; Claremore Hospital, \$76,300; Clinton Hospital, \$22,000; Pawnee and Ponca Hospital, \$38,000; Kiowa Hospital, \$130,000; William W. Hastings Hospital, \$70,000;

Oregon: Warm Springs Hospital, \$20,000;

South Dakota: Crow Creek Hospital, \$22,000; Pine Ridge Hospitals, \$53,000; Rosebud Hospital, \$45,000; Yankton Hospital, \$23,000; Cheyenne River Hospital, \$35,000; Sioux Sanatorium, \$140,000; Sisseton Hospital, \$33,000;

Utah: Uintah Hospital, \$30,000;

Washington: Yakima Sanatorium, \$40,000; Tacoma Sanatorium, \$225,000; Tulalip Hospital, \$12,600; Colville Hospital, \$35,000;

Wisconsin: Hayward Hospital, \$40,600; Tomah Hospital, \$32,620;

Wyoming: Wind River Hospital, \$29,620;

*Provided*, That 10 per centum of the foregoing amounts shall be available interchangeably for expenditures in the various hospitals named, but not more than 10 per centum shall be added to the amount appropriated for any one of said hospitals or for any particular item within any hospital, and any interchange of appropriations hereunder shall be reported to Congress in the annual Budget: *Provided further*, That nonreservation boarding schools receiving specific appropriations shall contribute on a per diem basis for the hospitalization of pupils in hospitals located at such schools and supported from this appropriation: *Provided further*, That in the discretion of the Secretary of the Interior and under such rules and regulations as may be prescribed by him, fees may be collected from Indians for medical, hospital, and dental service and any fees so collected shall be covered into the Treasury of the United States.

Medical relief in Alaska: To enable the Secretary of the Interior, in his discretion and under his direction through the Bureau of Indian Affairs, with the advice and cooperation of the Public Health Service,

California

Colorado.

Idaho.

Iowa.

Minnesota.

Mississippi.

Montana.

Nebraska.

Nevada.

New Mexico.

North Carolina.

North Dakota.

Oklahoma.

Oregon.

South Dakota.

Utah.

Washington.

Wisconsin.

Wyoming.

*Provides.*  
Sums interchangeable.

Report to Congress.

Hospitalization of  
pupils; basis of contribution.

Fees for medical,  
etc., services.

Medical relief in  
Alaska.

Hospital buildings, etc. to provide for the medical and sanitary relief of the Eskimos, Aleuts, Indians, and other natives of Alaska; purchase, repair, rental, and equipment of hospital buildings; books and surgical apparatus; pay and necessary traveling expenses of physicians, nurses, and other employees, and all other necessary miscellaneous expenses which are not included under the above special heads, \$440,000, to be available immediately and to remain available until June 30, 1941.

Availability.

Reindeer service. Reindeer service: For supervision of reindeer in Alaska and instruction in the care and management thereof, including salaries and travel expenses of employees, purchase, rental, erection, and repair of range cabins, purchase and maintenance of communication and other equipment, and all other necessary miscellaneous expenses, including \$3,000 for the purchase and distribution of reindeer, \$75,000, to be immediately available, and to remain available until June 30, 1941.

## GENERAL SUPPORT AND ADMINISTRATION

General support and administration. For general support of Indians and administration of Indian property, including pay of employees authorized by continuing or permanent treaty provisions, \$2,743,700: *Provided*, That in the discretion of the Secretary of the Interior, and under such rules and regulations as may be prescribed by him, fees may be collected from individual Indians for services performed for them, and any fees so collected shall be covered into the Treasury of the United States.

*Proviso.*  
Fees for services.

Support of Indians, etc., under specified agencies, from tribal funds. For general support of Indians and administration of Indian property under the jurisdiction of the following agencies, to be paid from the funds held by the United States in trust for the respective tribes, in not to exceed the following sums, respectively:

Arizona. Arizona: Fort Apache, \$54,000; Navajo, \$2,500 for all necessary expenses of holding a tribal fair, including erection of structures, awards for exhibits and events, feeding of livestock, and labor and materials; Pima (Camp McDowell), \$300; San Carlos, \$60,000; Truxton Canyon, \$6,500; in all, \$123,300;

California. California: Mission, \$20,000;  
*Post*, p. 1315.  
Colorado. Colorado: Consolidated Ute (Southern Ute), \$78,000, including the purchase of land, the subjugation thereof, and the construction of improvements thereon;  
*Post*, p. 1315.

Florida. Florida: Seminole, \$6,000, including the purchase of cattle for the establishment of a tribal herd;

Idaho. Idaho: Fort Hall, \$4,000 for the purchase of equipment, materials, and supplies for the eradication of noxious weeds;

Iowa. Iowa: Sac and Fox, \$2,000;

Montana. Montana: Flathead, \$24,000;

Nevada. Nevada: Carson, the unexpended balances of the appropriations under this head for the Walker River, Summit Lake, and Pyramid Lake Indians, for the fiscal year 1938 are hereby continued available for the same purposes until June 30, 1940; Western Shoshone, \$3,000;

North Carolina. North Carolina: Cherokee, \$8,000;

Oklahoma. Oklahoma: Seminole, \$7,787 for reconstruction of community house;

Oregon. Oregon: Klamath, \$93,760;  
*Post*, p. 1315.  
Utah. Utah: Uintah and Ouray, \$10,000, of which amount not to exceed \$3,000 shall be available for the payment of an agent employed under a contract approved by the Secretary of the Interior;

Washington. Washington: Puyallup, \$1,000 for upkeep of the Puyallup Indian cemetery; Taholah, \$24,650 (Makah, \$9,500; Shoalwater, \$15,150); Yakima, \$250; Tulalip, \$1,000; in all, \$26,900;

Wisconsin. Wisconsin: Keshena, \$71,500, including \$20,000 for monthly allowances, under such rules and regulations as the Secretary of the Inte-

rior may prescribe, to old and indigent members of the Menominee Tribe who reside with relatives or friends;

In all, not to exceed \$478,247.

Expenses of attorneys, Quinaielt Reservation, Washington (tribal funds): The unexpended balance of the appropriation of \$1,500 of the funds on deposit to the credit of the Quinaielt Indians, Washington, contained in the Second Deficiency Appropriation Act, fiscal year 1938, for expenses incurred by the attorney of record in prosecuting the claims of the Quinaielt Tribe in the Court of Claims, as authorized by the Act of February 12, 1925 (43 Stat. 886), is hereby continued available, for the same purposes and under the same conditions, until expended.

Quinaielt Reservation, Wash., expenses of attorney.

52 Stat. 1131.

43 Stat. 886.

Relief of Chippewa Indians in Minnesota (tribal funds): Not to exceed \$40,000 of the principal sum on deposit to the credit of the Chippewa Indians of Minnesota, arising under section 7 of the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota", approved January 14, 1889 (25 Stat. 645), may be expended, in the discretion of the Secretary of the Interior, in aiding indigent Chippewa Indians including boarding-home care of pupils attending public or high schools.

Chippewas in Minnesota, aid in school attendance, etc.

25 Stat. 645.

Relief of needy Indians: For the relief of Indians in need of assistance, including cash grants; the purchase of subsistence supplies, clothing, and household goods; medical, burial, housing, transportation, and all other necessary expenses, \$100,000, payable from funds on deposit to the credit of the particular tribe concerned: *Provided*, That expenditures hereunder may be made without regard to section 3709, United States Revised Statutes, or to the Act of May 27, 1930 (46 Stat. 391), as amended.

Relief of needy Indians.

*Proviso.*  
Expenditures.  
R. S. § 3709.  
41 U. S. C. § 5.  
46 Stat. 391.  
18 U. S. C. § 744a.

Attorneys.

For compensation and expenses of an attorney or attorneys employed by the Chippewa Tribe under a contract, approved by the Secretary of the Interior on April 15, 1937, \$6,000, or so much thereof as may be necessary, payable from the principal sum on deposit to the credit of the Chippewa Indians of Minnesota, arising under section 7 of the Act entitled "An Act for the relief and civilization of the Chippewa Indians in the State of Minnesota", approved January 14, 1889 (25 Stat. 645), and the amount herein appropriated shall be available for compensation earned and expenses incurred during the period covered by said contract.

25 Stat. 645.  
Availability.

Expenses of tribal officers, Five Civilized Tribes, Oklahoma (tribal funds): For the current fiscal year money may be expended from the tribal funds of the Choctaw, Chickasaw, Creek, and Seminole Tribes for equalization of allotments, per capita, and other payments authorized by law to individual members of the respective tribes, salaries and contingent expenses of the governor of the Chickasaw Nation and chief of the Choctaw Nation, one mining trustee for the Choctaw and Chickasaw Nations, at salaries at the rate heretofore paid for the said governor and said chief and \$3,000 for the said mining trustee, chief of the Creek Nation at \$600 and one attorney each for the Choctaw and Chickasaw Tribes employed under contract approved by the President under existing law: *Provided*, That the expenses of the above-named officials shall be determined and limited by the Commissioner of Indian Affairs at not to exceed \$2,500 each: *Provided further*, That so much as may be necessary may be expended from the tribal funds of the Creek Nation for payment of the salary of the principal chief for the period from February 12, 1935, to June 30, 1936.

Five Civilized Tribes, Okla.  
Expenses of tribal officers, from tribal funds.

*Proviso.*  
Limitation on expenses.

Principal chief, salary for designated period.

Support of Osage Agency and pay of tribal officers, Oklahoma (tribal funds): For the support of the Osage Agency, and for necessary expenses in connection with oil and gas production on the Osage

Osage Agency, Okla. Agency, etc., expenses.

	Reservation, Oklahoma, including pay of necessary employees, the tribal attorney and his stenographer, one special attorney in tax and other matters, and pay of tribal officers; payment of damages to individual allottees; repairs to buildings, rent of quarters for employees, traveling expenses, printing, telegraphing, and telephoning, and purchase, repair, and operation of automobiles, \$189,680, payable from funds held by the United States in trust for the Osage Tribe of Indians in Oklahoma: <i>Provided</i> , That not more than \$1,800 may be used for the employment of a curator for the Osage Museum, which employee shall be an Osage Indian and shall be appointed without regard to civil-service laws and regulations upon the recommendation of the Osage tribal council: <i>Provided further</i> , That this appropriation shall be available, for traveling and other expenses, including not to exceed \$5 per diem in lieu of subsistence, and not to exceed 5 cents per mile for use of personally owned automobiles, of members of the tribal council and other members of the tribe, when engaged on tribal business, including visits to the District of Columbia when duly authorized or approved in advance by the Commissioner of Indian Affairs.
<i>Provisos.</i> Employment of curator for Museum.	
Travel, etc.	
Rehabilitation of needy Choctaw Indians, Okla.	Rehabilitation of needy Choctaw Indians: For the rehabilitation of needy Choctaw Indians, in Oklahoma, including the purchase of land in the vicinity of the Council House of the Choctaw Indians, Tuskahoma, Oklahoma, the construction of improvements on newly acquired land, and such other purposes as may be recommended by the advisory council of the Choctaw Tribe and approved by the Commissioner of Indian Affairs, \$100,000, payable from funds on deposit to the credit of the Choctaw Indians of Oklahoma, which sum together with the unexpended balance of the appropriation of \$50,000 from Choctaw tribal funds for the acquisition of lands, and so forth, contained in the Interior Department Appropriation Act, fiscal year 1939, shall remain available until expended: <i>Provided</i> , That title to any land or improvements purchased under the provisions of this paragraph shall be taken in the name of the United States in trust for the Choctaw Tribe.
52 Stat. 315. <i>Proviso.</i> Title in trust.	
Tribal councils, traveling, etc., expenses.	Expenses of tribal councils or committees thereof (tribal funds): For traveling and other expenses of members of tribal councils, business committees, or other tribal organizations, when engaged on business of the tribes, including supplies and equipment, not to exceed \$5 per diem in lieu of subsistence, and not to exceed 5 cents per mile for use of personally owned automobiles, and including not more than \$25,000 for visits to Washington, District of Columbia, when duly authorized or approved in advance by the Commissioner of Indian Affairs, \$50,000, payable from funds on deposit to the credit of the particular tribe interested: <i>Provided</i> , That, except for the Navajo Tribe, not more than \$5,000 shall be expended from the funds of any one tribe or band of Indians for the purposes herein specified: <i>Provided further</i> , That no part of this appropriation shall be available for expenses of members of tribal councils, business committees, or other tribal organizations, when in Washington, for more than a thirty-day period, unless the Secretary of the Interior shall in writing approve a longer period.
Supplies and equipment.	
Visits to Washington, D. C.	
<i>Provisos.</i> Limitation on expenditures.	
Expense allowance, limitation.	
Makah Reservation, Wash., attorney.	Expenses of attorneys, Makah Reservation, Washington (tribal funds): Not to exceed \$1,700 of the funds on deposit to the credit of the Makah Indians, Washington, is hereby made available for the fiscal years 1939 and 1940 for payment of the compensation and expenses of an attorney employed by the Makah Tribe under a contract executed September 7, 1938, and approved by the Secretary of the Interior on November 30, 1938.
Yakima Indians, attorneys.	For expenses of an attorney or attorneys employed by the Yakima Tribe under a contract approved by the Secretary of the Interior on

July 27, 1938, \$3,000, payable from funds on deposit to the credit of the Yakima Indians: *Provided*, That expenditures hereunder shall be deducted from the expenses allowed to the attorney or attorneys in connection with any judgment recovered by said Indians.

*Proviso.*  
Deduction from any judgment received.

For compensation and expenses of an attorney or attorneys employed by the Shoshone Indian Tribe under a contract approved by the Secretary of the Interior on January 30, 1939, \$20,000, or so much thereof as may be necessary, payable from funds on deposit in the Treasury to the credit of such tribe; and the amount herein appropriated shall be available for compensation earned and expenses incurred during the period covered by said contract.

Shoshone Indians, attorneys employed under contract.

#### ROADS AND BRIDGES

For maintenance and repair of that portion of the Gallup-Shiprock Highway within the Navajo Reservation, New Mexico, including the purchase of machinery, \$20,000, reimbursable: *Provided*, That other than for supervision and engineering only Indian labor shall be employed for such maintenance and repair work.

Gallup-Shiprock Highway, N. Mex., maintenance, etc.

*Proviso.*  
Indian labor.

For construction, improvement, repair, and maintenance of Indian reservation roads under the provisions of the Acts of May 26, 1928 (25 U. S. C. 318a), June 16, 1936 (49 Stat. 1521), and June 8, 1938 (52 Stat. 633-636), \$2,250,000, to be immediately available and to remain available until expended: *Provided*, That not to exceed \$11,200 of the foregoing amount may be expended for personal services in the District of Columbia: *Provided further*, That not to exceed \$100,000 of this appropriation shall be available for purchase, lease, construction, or repair of structures for housing road materials, supplies, and equipment, and for quarters for road crews but the cost of any structure erected hereunder shall not exceed \$7,500: *Provided further*, That the unexpended balance of the appropriation under this head contained in the Second Deficiency Appropriation Act, fiscal year 1938, shall continue available for the same purpose until expended.

Reservation roads, construction, etc.

45 Stat. 750; 49 Stat. 1521; 52 Stat. 633.  
25 U. S. C. § 318a; Supp. IV, § 318b.  
*Provisos.*  
Services in the District.  
Structures for housing materials, etc.

Unexpended balance available.  
52 Stat. 1133.

#### CONSTRUCTION AND REPAIR

For the construction, repair, or rehabilitation of school, agency, hospital, or other buildings and utilities, including the purchase of land and the acquisition of easements or rights-of-way when necessary, and including the purchase of furniture, furnishings, and equipment, as follows:

School, agency, hospital, etc., buildings.

Alaska: Hospital and quarters, \$210,000;

Alaska.

Carson, Nevada: Dormitory facilities, \$165,000;

Carson, Nev.

Cherokee, North Carolina: Reconstruction of farm and dairy facilities, \$10,000; improvements to heating plant and distribution lines, \$15,000; day school and quarters, \$23,000;

Cherokee, N. C.

Cheyenne and Arapahoe, Oklahoma: Dormitory facilities, \$75,000; employees' quarters, \$15,000; employees' quarters (student project), \$6,000;

Cheyenne and Arapahoe, Okla.

Cheyenne River, South Dakota: Office building, \$35,000; one dwelling, \$7,500;

Cheyenne River, S. Dak.

Chilocco, Oklahoma: Employees' quarters (student project), \$7,500;

Chilocco, Okla.

Consolidated Ute, Colorado: Office building, \$30,000; employees' quarters, \$15,000;

Consolidated Ute, Colo.

Flandreau, South Dakota: Employees' quarters (student project), \$10,000;

Flandreau, S. Dak.

Fort Berthold, North Dakota: Improvement of sewer system, \$20,000;

Fort Berthold, N. Dak.

Fort Peck, Montana: One dwelling, \$7,500;

Fort Peck, Mont.



Great Lakes, Wis.	Great Lakes, Wisconsin: Addition to school building (Lac du Flambeau), \$40,000;
Haskell Institute, Kans.	Haskell Institute, Kansas: Employees' quarters (student project), \$6,000; improvements to utilities, \$10,000;
Hoopla Valley, Calif.	Hoopla Valley, California: Remodeling and enlarging hospital, \$13,000;
Jicarilla, N. Mex.	Jicarilla, New Mexico: Improvements to power plant, \$25,000; dormitory facilities, \$75,000;
Keshena, Wis.	Keshena, Wisconsin: Dwellings for employees, \$15,000;
Kiowa, Okla.	Kiowa, Oklahoma: Riverside, dormitory facilities, \$75,000; Fort Sill, dormitory facilities, \$75,000;
Navajo, Ariz.	Navajo, Arizona: Superintendent's residence (Window Rock), \$10,000; dwelling for employee at sheep experiment station (Fort Wingate), \$6,500; employees' building (Fort Defiance), \$75,000;
Pima, Ariz.	Pima, Arizona: Hospital and quarters, \$175,000; one dwelling, \$7,500;
Pine Ridge, S. Dak.	Pine Ridge, South Dakota: Employees' cottages, \$22,500;
Rocky Boy's, Mont.	Rocky Boy's, Montana: Improvements to sewer system, \$15,000;
Rosebud, S. Dak.	Rosebud, South Dakota: Quarters for hospital attendants, \$15,000;
Sac and Fox, Iowa.	Sac and Fox, Iowa: Improvements to heating plant and distribution lines, \$25,000;
Chemawa, Oreg.	Chemawa, Oregon: Remodeling and improving hospital, \$15,000;
San Carlos, Ariz.	San Carlos, Arizona: One dwelling, \$7,500;
San Xavier, Ariz.	San Xavier, Arizona: Cottages for employees, \$15,000;
Sells, Ariz.	Sells, Arizona: Improving water supply, \$15,000; cottages for employees, \$15,000; warehouse, \$20,000;
Seminole, Fla.	Seminole, Florida: Cottage for employee, \$4,500;
Shawnee Sanatorium, Okla.	Shawnee Sanatorium, Oklahoma: Remodeling women's semiambulant building, \$25,000; fireproof auditorium and occupational-therapy building, \$35,000;
Sherman Institute, Calif.	Sherman Institute, California: Improvements to utilities, including the connection of the school sewer lines with the system of the city of Riverside, \$35,000; warehouse (student project), \$10,000;
Standing Rock, N. Dak.	Standing Rock, North Dakota: Utilities distribution lines, \$35,000; jail and quarters, \$15,000; cottages for employees, \$22,500; dairy barn, \$15,000;
United Pueblos, N. Mex.	United Pueblos, New Mexico: Cottages for employees, \$8,000; remodeling dormitory (Santa Fe), \$60,000; repairs to buildings (Taos), \$10,000;
Warm Springs, Oreg.	Warm Springs, Oregon: Dairy barn, \$12,000; office building, \$25,000;
Winnebago, Nebr.	Winnebago, Nebraska: Improvements to water system, \$10,000; cottages for farm agents, \$15,000;
Administrative expenses.	For administrative expenses, including personal services in the District of Columbia and elsewhere; not to exceed \$2,500 for printing and binding; purchase of periodicals, directories, and books of reference; purchase and operation of motor-propelled passenger-carrying vehicles; traveling expenses of employees; rent of office and storage space; telegraph and telephone tolls; and all other necessary expenses not specifically authorized herein, \$175,000; in all, \$1,936,500, to be immediately available, and to remain available until June 30, 1941: <i>Provided</i> , That not to exceed 10 per centum of the amount of any specific authorization may be transferred, in the discretion of the Commissioner of Indian Affairs, to the amount of any other specific authorization, but no limitation shall be increased more than 10 per centum by any such transfer: <i>Provided further</i> , That the unexpended balances of appropriations made available under this head in the Interior Department Appropriation Act, fiscal year 1938, and in the Second Deficiency Appropriation Act, fiscal year 1938, shall continue available for the same purposes until June 30, 1940.
Provisos. Transfers of amounts; limitation.	
Unexpended balances continued available. 50 Stat. 590; 52 Stat. 1130.	

## ANNUITIES AND PER CAPITA PAYMENTS

For fulfilling treaties with Senecas of New York: For permanent annuity in lieu of interest on stock (Act of February 19, 1831, 4 Stat. 442), \$6,000.

Senecas, N. Y.  
4 Stat. 442.

For fulfilling treaties with Six Nations of New York: For permanent annuity, in clothing and other useful articles (article 6, treaty of November 11, 1794), \$4,500.

Six Nations, N. Y.  
7 Stat. 46.

For fulfilling treaties with Choctaws, Oklahoma: For permanent annuity (article 2, treaty of November 16, 1805, and article 13, treaty of June 22, 1855), \$3,000; for permanent annuity for support of light horsemen (article 13, treaty of October 18, 1820, and article 13, treaty of June 22, 1855), \$600; for permanent annuity for support of blacksmith (article 6, treaty of October 18, 1820, and article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), \$600; for permanent annuity for education (article 2, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), \$6,000; for permanent annuity for iron and steel (article 9, treaty of January 20, 1825, and article 13, treaty of June 22, 1855), \$320; in all, \$10,520.

Choctaws, Okla.  
7 Stat. 98.  
11 Stat. 611.  
7 Stat. 210.

For fulfilling treaties with Pawnees, Oklahoma: For permanent annuity (article 2, treaty of September 24, 1857, and article 3, agreement of November 23, 1892), \$30,000.

Pawnees, Okla.  
11 Stat. 729; 27 Stat. 644.

For payment of Sioux benefits to Indians of the Sioux reservations, as authorized by the Act of March 2, 1889 (25 Stat. 895), as amended, \$250,000.

Indians of Sioux reservations.  
25 Stat. 895.

For payment of interest on moneys held in trust for the several Indian tribes, as authorized by various Acts of Congress, \$950,000.

Interest on trust funds.

The balance of \$262.18 of the fund appropriated by the Act of August 23, 1894 (28 Stat. 451), to pay the judgment of the Court of Claims in favor of the Western Cherokees, and turned into the Treasury of the United States pursuant to the Act of February 12, 1929 (45 Stat. 1164), and reappropriated and restored on the books of the Treasury to the credit of the Western Cherokees by the Act of May 9, 1938 (52 Stat. 318), is hereby made available for expenses of attorneys in connection with suits on behalf of said Indians.

Western Cherokees.  
Fund made available for attorneys' expenses.  
28 Stat. 451; 45 Stat. 1164.

52 Stat. 318.

Appropriations herein made for the support of Indians and administration of Indian property, the support of schools, including non-reservation boarding schools and for conservation of health among Indians shall be available for the purchase of supplies, materials, and repair parts, for storage in and distribution from central warehouses, garages, and shops, and for the maintenance and operation of such warehouses, garages, and shops, and said appropriations shall be reimbursed for services rendered or supplies furnished by such warehouses, garages, or shops to any activity of the Indian Service.

Central warehouses.  
Availability of funds for purchase, distribution, etc., of supplies, from.

Appropriations made for the Indian Service for the fiscal year 1940 shall be available for travel expenses of employees on official business; for travel expenses and the cost of packing, crating, drayage, and transportation of personal effects of employees upon permanent change of station with or without a change in official position; for the purchase of ice, and for the purchase of rubber boots for official use of employees.

Travel expenses, etc.

The appropriations available for expenditure for the benefit of the natives of Alaska may be used for the payment of traveling expenses of new appointees from Seattle, Washington, to their posts of duty in Alaska, and of traveling expenses, packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station within Alaska, under regulations to be prescribed by the Secretary of the Interior.

Traveling expenses, new appointees from Seattle to Alaska.

## BUREAU OF RECLAMATION

Sums appropriated from reclamation fund; availability.  
32 Stat. 388.  
43 U. S. C. §§ 391, 411.

Salaries and expenses.

Printing and binding.

Administrative provisions and limitations.  
32 Stat. 388.  
43 U. S. C. § 391.

Vehicles.

Property damages.

Attendance at meetings, etc.

*Proviso.*  
Restriction where district is in arrears.

Examination and inspection of projects.

The following sums are appropriated out of the special fund in the Treasury of the United States created by the Act of June 17, 1902 (43 U. S. C. 391, 411), and therein designated "the reclamation fund", to be available immediately:

Salaries and expenses: For the Commissioner of Reclamation and other personal services in the District of Columbia, \$115,000; for travel and other necessary expenses, \$35,000, including not to exceed \$15,000 for printing and binding; in all, \$150,000;

Administrative provisions and limitations: For all expenditures authorized by the Act of June 17, 1902, and Acts amendatory thereof or supplementary thereto, known as the reclamation law, and all other Acts under which expenditures from said fund are authorized, including not to exceed \$100,000 for personal services and \$15,000 for other expenses in the office of the chief engineer, \$20,000 for telegraph, telephone, and other communication service, \$5,000 for photographing and making photographic prints, \$41,250 for personal services, and \$7,500 for other expenses in the field legal offices; examination of estimates for appropriations in the field; refunds of overcollections and deposits for other purposes; not to exceed \$15,000 for lithographing, engraving, printing, and binding; purchase of ice; purchase of rubber boots for official use by employees; maintenance and operation of horse-drawn and motor-propelled passenger vehicles; not to exceed \$25,000 for purchase and exchange of horse-drawn and motor-propelled passenger-carrying vehicles; packing, crating, and transportation (including drayage) of personal effects of employees upon permanent change of station, under regulations to be prescribed by the Secretary of the Interior; payment of damages caused to the owners of lands or other private property of any kind by reason of the operations of the United States, its officers or employees, in the survey, construction, operation, or maintenance of irrigation works; payment for official telephone service in the field hereafter incurred in case of official telephones installed in private houses when authorized under regulations established by the Secretary of the Interior; not to exceed \$1,000 for expenses, except membership fees, of attendance, when authorized by the Secretary, upon meetings of technical and professional societies required in connection with official work of the Bureau; payment of rewards, when specifically authorized by the Secretary of the Interior, for information leading to the apprehension and conviction of persons found guilty of the theft, damage, or destruction of public property: *Provided*, That no part of any sum provided for in this Act for operation and maintenance of any project or division of a project by the Bureau of Reclamation shall be used for the irrigation of any lands within the boundaries of an irrigation district which has contracted with the Bureau of Reclamation and which is in arrears for more than twelve months in the payment of any charges due the United States, and no part of any sum provided for in this Act for such purpose shall be used for the irrigation of any lands which have contracted with the Bureau of Reclamation and which are in arrears for more than twelve months in the payment of any charges due from said lands to the United States;

Examination and inspection of projects and operation and maintenance of reserved works: For examination of accounts and inspection of the works of various projects and divisions of projects operated and maintained by irrigation districts or water users' associations, and bookkeeping, accounting, clerical, legal, and other expenses incurred in accordance with contract provisions for the

repayment of such expenses by the districts or associations; and for operation and maintenance of the reserved works of a project or division of a project when irrigation districts, waters users' associations, or Warren Act contractors have contracted to pay in advance but have failed to pay their proportionate share of the cost of such operation and maintenance, to be expended under regulations to be prescribed by the Secretary of the Interior, \$10,000;

Yuma project, Arizona-California: For operation and maintenance, \$70,000: *Provided*, That not to exceed \$25,000 from the power revenues shall be available during the fiscal year 1940 for the operation and maintenance of the commercial system;

Boise project, Idaho: For operation and maintenance, \$30,000;

Minidoka project, Idaho: For operation and maintenance, reserved works, \$11,600: *Provided*, That not to exceed \$50,000 from the power revenues shall be available during the fiscal year 1940 for the operation of the commercial system; and not to exceed \$100,000 from power revenues shall be available during the fiscal year 1940 for continuation of construction, south side division;

Buffalo Rapids project, Montana: For operation and maintenance, \$25,000;

North Platte project, Nebraska-Wyoming: Not to exceed \$70,000 from the power revenues shall be available during the fiscal year 1940, for the operation and maintenance of the commercial system; and not to exceed \$6,000 from power revenues allocated to the Northport irrigation district under subsection I, section 4, of the Act of December 5, 1924 (43 U. S. C. 501), shall be available during the fiscal year 1940 for payment on behalf of the Northport irrigation district, to the Farmers' irrigation district for carriage of water; and not to exceed \$175,000 from power revenues shall be available for betterments and additions to the power system;

Rio Grande project, New Mexico-Texas: For operation and maintenance, \$30,000;

Owyhee project, Oregon: For operation and maintenance, \$100,000;

Klamath project, Oregon-California: For operation and maintenance, \$68,000: *Provided*, That revenues received from the lease of marginal lands, Tule Lake division, shall be available for refunds to the lessees in such cases where it becomes necessary to make refunds because of flooding or other reasons within the terms of such leases;

Yakima project, Washington: For operation and maintenance, \$260,000: *Provided*, That not to exceed \$25,000 from power revenues shall be available during the fiscal year 1940 for operation and maintenance of the power system;

Kendrick project, Wyoming: Not to exceed \$100,000 from the power revenues shall be available during the fiscal year 1940, for the operation and maintenance of the power system;

Riverton project, Wyoming: For operation and maintenance, \$50,000: *Provided*, That not to exceed \$30,000 from the power revenues shall be available during the fiscal year 1940 for the operation and maintenance of the commercial system;

Shoshone project, Wyoming: For operation and maintenance, Willwood division, \$15,000: *Provided*, That not to exceed \$25,000 from power revenues shall be available during the fiscal year 1940 for the operation and maintenance of the commercial system;

Secondary and economic investigations: For cooperative and general investigations, including investigations necessary to determine the economic conditions and financial feasibility of projects and investigations and other activities relating to the reorganization, settlement of lands, and financial adjustments of existing projects, including examination of soils, classification of land, land-settlement activ-

Maintenance of reserved works.

Yuma, Ariz.-Calif.

*Proviso.*  
Operation of commercial system.

Boise, Idaho.

Minidoka, Idaho.

*Proviso.*  
Operation of commercial system.

South side division, construction.

Buffalo Rapids, Mont.

North Platte, Nebr.-Wyo.  
Operation of commercial system.

Payment to Farmers' district for water.

43 Stat. 703.  
43 U. S. C. § 501.

Rio Grande, N. Mex.-Tex.

Owyhee, Oreg.

Klamath, Oreg.-Calif.

*Proviso.*  
Use of revenues from Tule Lake division.

Yakima, Wash.

*Proviso.*  
Operation of power system.

Kendrick, Wyo.

Riverton, Wyo.

*Proviso.*  
Operation of commercial system.

Shoshone, Wyo.

*Proviso.*  
Operation of commercial system.

Secondary and economic investigations.

52 Stat. 320.

*Provisos.*  
Expenditures con-  
sidered supplement-  
ary; accounting.

Investigations; divi-  
sion of expenses.

Operation and  
maintenance adminis-  
tration.

*Post*, p. 1316.

46 Stat. 367.  
43 U. S. C. § 424.  
Information to  
settlers.

Limitation of ex-  
penditures.

Interchange of ap-  
propriations.

Emergency flood  
repairs.

Construction of  
designated projects.

Gila, Ariz.  
Colorado—Big  
Thompson, Colo.  
Paonia, Colo.  
Boise, Payette divi-  
sion, Idaho.  
Minidoka, Idaho.  
*Proviso.*  
Additional unit; re-  
imbursement.

ities, including advertising in newspapers and other publications, and obtaining general economic and settlement data, \$25,000, together with the unexpended balance of the appropriation for these purposes for the fiscal year 1939: *Provided*, That the expenditures from this appropriation for any reclamation project shall be considered as supplementary to the appropriation for that project and shall be accounted for and returned to the reclamation fund as other expenditures under the Reclamation Act: *Provided further*, That the expenditure of any sums from this appropriation for investigations of any nature requested by States, municipalities, or other interests shall be upon the basis of the State, municipality, or other interest advancing at least 50 per centum of the estimated cost of such investigation;

Operation and maintenance administration: For necessary pay of employees, traveling and other expenses incident to the general administration of reclamation projects, either operated and maintained by the Bureau or transferred to water users' organizations for operation and maintenance, and incident to the sale of temporarily and permanently unproductive public lands as authorized by the Act of May 16, 1930 (46 Stat. 367), including giving information and advice to settlers on reclamation projects in the selection of lands, equipment, and livestock, the preparation of land for irrigation, the selection of crops, methods of irrigation and agricultural practice, and general farm management, the cost of which shall be charged to the general reclamation fund and shall not be charged as a part of the construction or operation and maintenance cost payable by the water users under the projects, \$15,000;

Limitation of expenditures: Under the provisions of this Act no greater sum shall be expended, nor shall the United States be obligated to expend during the fiscal year 1940, on any reclamation project appropriated for herein, an amount in excess of the sum herein appropriated therefor, nor shall the whole expenditures or obligations incurred for all of such projects for the fiscal year 1940 exceed the whole amount in the reclamation fund for the fiscal year;

Interchange of appropriations: Ten per centum of the foregoing amounts shall be available interchangeably for expenditures on the reclamation projects named; but not more than 10 per centum shall be added to the amount appropriated for any one of said projects, except that should existing works or the water supply for lands under cultivation be endangered by floods or other unusual conditions, an amount sufficient to make necessary emergency repairs shall become available for expenditure by further transfer of appropriation from any of said projects upon approval of the Secretary of the Interior;

Construction: For commencement and continuation of construction of the following projects in not to exceed the following amounts, respectively, to be expended from the Reclamation Fund under the same general conditions and in the same manner and for the same objects of expenditure as specified for projects hereinbefore in this Act under the caption "Bureau of Reclamation", to be reimbursable under the reclamation law, and to remain available until expended:

Gila project, Arizona, \$700,000;

Colorado-Big Thompson project, Colorado, \$1,500,000;

Paonia project, Colorado, \$300,000;

Boise project, Idaho, Payette division, \$500,000;

Minidoka project, Idaho, \$100,000: *Provided*, That expenditures from this or any other appropriation for the installation of an additional unit in the Minidoka power plant shall be reimbursed wholly from power revenues derived from operation of said unit and after such reimbursement said revenues shall be the property of the United States;

Carlsbad project, New Mexico, \$100,000;

Tucumcari project, New Mexico, \$250,000;

Rio Grande project, New Mexico-Texas, \$483,000;

Lugert-Altus project, Oklahoma, \$500,000: *Provided*, That as a condition precedent to the expenditure of this appropriation for such project an amount at least equal thereto shall be made available for expenditure by the Secretary of the Interior, by transfer from any funds appropriated for the construction of flood-control projects, as authorized in the Act of June 28, 1938 (52 Stat. 1215, 1219);

Owyhee project, Oregon, \$270,000;

Deschutes project, Oregon, \$400,000;

Provo River project, Utah, \$1,350,000;

Yakima project, Washington, Roza division, \$900,000;

Kendrick project, Wyoming, \$925,000;

Riverton project, Wyoming, \$100,000;

Shoshone project, Wyoming: Heart Mountain division, \$450,000; Willwood division, \$45,000;

General investigations: To enable the Secretary of the Interior, through the Bureau of Reclamation, to carry on engineering and economic investigations of proposed Federal reclamation projects, surveys for reconstruction, rehabilitation, or extensions of existing projects, and studies of water conservation and development plans, including Colorado River Basin investigations, such investigations, surveys, and studies to be carried on by said Bureau either independently, or, if deemed advisable by the Secretary of the Interior, in cooperation with State agencies and other Federal agencies, including the Corps of Engineers, National Resources Committee, and the Federal Power Commission, \$900,000;

For administrative expenses on account of the above projects, including personal services and other expenses in the District of Columbia and in the field, \$750,000, in addition to and for the same objects of expenditure as are hereinbefore enumerated in paragraphs 2 and 3 under the caption "Bureau of Reclamation"; in all, \$10,523,000: *Provided*, That of this amount not to exceed \$75,000 may be expended for personal services in the District of Columbia.

The unexpended balances of the amounts appropriated from the reclamation fund, special fund, under the caption "Bureau of Reclamation, Construction", in the Interior Department Appropriation Acts, fiscal years 1937, 1938, and 1939 and in the Second Deficiency Act, fiscal year 1938, shall remain available for the same purposes until expended.

The Public Works Administration allotments made available to the Department of the Interior, Bureau of Reclamation, pursuant to the National Industrial Recovery Act of June 16, 1933, either by direct allotments or by transfer of allotments originally made to another Department or agency, and the allocations made to the Department of the Interior, Bureau of Reclamation, from the appropriation contained in the Emergency Relief Appropriation Act of 1935 and the Emergency Relief Appropriation Act of 1937, shall remain available for the purposes for which allotted during the fiscal year 1940: *Provided*, That the allocation from the Emergency Relief Appropriation Act of 1937 for official project numbered 505-2-73, Fruit Growers' Dam and Reservoir, in Colorado, shall be immediately available for the acquisition of rights-of-way.

Total, from reclamation fund, \$11,382,600.

To defray the cost of operating and maintaining the Colorado River front work and levee system adjacent to the Yuma Federal irrigation project in Arizona and California, subject only to section 4 of the Act entitled "An Act authorizing the construction, repair, and

Carlsbad, N. Mex.

Tucumcari, N. Mex.

Rio Grande, N. Mex.-Tex.

Lugert-Altus, Okla.

*Proviso.*

Funds available.

52 Stat. 1219.

Owyhee, Oreg.

Deschutes, Oreg.

Provo River, Utah.

Yakima, Roza division, Wash.

Kendrick, Wyo.

Riverton, Wyo.

Shoshone, Wyo.

General investigations.

Administrative expenses.

*Ante*, p. 714.

*Proviso.*  
Personal services.

Certain unexpended balances continued available.

49 Stat. 1784; 50 Stat. 595; 52 Stat. 321, 1133.

Public Works Administration.  
Allotments, etc., continued available.  
48 Stat. 195.

49 Stat. 115; 50 Stat. 352.

*Proviso.*  
Fruit Growers' Dam and Reservoir, Colo., rights-of-way.

Colorado River front work and levee system.

44 Stat. 1016.

Unexpended balance reappropriated.

Boulder Canyon.  
Continuation of construction, etc.

Acquisition of lands,  
etc.

45 Stat. 1057.  
43 U. S. C. ch. 12A.  
Availability.

Boulder City School  
District, reimbursement for instruction.

*Ante*, p. 714.

Boulder Canyon  
(All-American Canal).  
Continuation of construction, etc.

Acquisition of lands.

45 Stat. 1057.  
43 U. S. C. ch. 12A.

*Ante*, p. 714.

Construction of designated projects, etc.; reimbursement.

preservation of certain public works on rivers and harbors, and for other purposes", approved January 21, 1927 (44 Stat. 1010), \$15,000, together with the unexpended balance of the appropriation for the fiscal year 1939.

Boulder Canyon project: For the continuation of construction of the Boulder Canyon Dam and incidental works in the main stream of the Colorado River at Black Canyon, to create a storage reservoir, and of a complete plant and incidental structures suitable for the fullest economic development of electrical energy from the water discharged from such reservoir; to acquire by proceedings in eminent domain, or otherwise, all lands, rights-of-way, and other property necessary for such purposes; and for incidental operations, as authorized by the Boulder Canyon Project Act, approved December 21, 1928 (43 U. S. C., ch. 12A); \$4,000,000 to be immediately available and to remain available until advanced to the Colorado River Dam fund; and there shall also be available from power and other revenues not to exceed \$550,000 for operation and maintenance of the Boulder Canyon Dam, power plant, and other facilities, including payment to the Boulder City School District, as reimbursement for instruction during the 1938-1939 and 1939-1940 school years in the schools operated by said district of each pupil who is a dependent of any employee of the United States living in or in the immediate vicinity of Boulder City, in the sum of \$45 per semester per pupil in average daily attendance at said schools, payable after the term of instruction in any semester has been completed, under regulations to be prescribed by the Secretary of the Interior, and in addition thereto the sum of \$25,000 shall be available from such revenues for the construction of school buildings; which amounts of \$4,000,000 and \$550,000 shall be available for personal services in the District of Columbia (not to exceed \$25,000) and in the field and for all other objects of expenditure that are specified for projects hereinbefore included in this Act, under the caption "Bureau of Reclamation, Administrative provisions and limitations", without regard to the amounts of the limitations therein set forth.

Boulder Canyon project (All-American Canal): For continuation of construction of a diversion dam, and main canal (and appurtenant structures including distribution and drainage systems) located entirely within the United States connecting the diversion dam with the Imperial and Coachella Valleys in California; to acquire by proceedings in eminent domain, or otherwise, all lands, rights-of-way, and other property necessary for such purposes; and for incidental operations, as authorized by the Boulder Canyon Project Act, approved December 21, 1928 (43 U. S. C., ch. 12A); to be immediately available and to remain available until advanced to the Colorado River Dam Fund, \$2,000,000, which amount shall be available for personal services in the District of Columbia (not to exceed \$5,000) and in the field and for all other objects of expenditure that are specified for projects hereinbefore included in this Act under the caption "Bureau of Reclamation, administrative provisions and limitations", without regard to the amounts of the limitations therein set forth.

#### GENERAL FUND, CONSTRUCTION

For continuation of construction of the following projects and for general investigations in not to exceed the following amounts, respectively, to be expended from the general fund of the Treasury in the same manner and for the same objects of expenditures as specified for projects included hereinbefore in this Act under the caption "Bureau of Reclamation", to be immediately available, to remain available until expended, and to be reimbursable (except as to the

Pine River project, Colorado, and the Colorado River project, Texas) under the reclamation law:

Central Valley project, California, \$10,000,000: *Provided*, That this appropriation and the unexpended balances of appropriations heretofore made for the construction of this project shall be available until expended and shall be accounted for as one fund, entitled "Central Valley project, California";

Pine River project, Colorado, \$1,000,000;

Colorado River project, Texas, \$5,000,000, together with the unexpended balance of the appropriation of \$2,030,000 under this head in the Interior Department Appropriation Act, fiscal year 1939: *Provided*, That the Secretary of the Interior by contracts entered into pursuant to the authority of the Act of August 26, 1937 (50 Stat. 844, 850), shall require reimbursement of expenditures for construction of Marshall Ford Dam, to the extent and in the manner determined by him;

Grand Coulee Dam project, Washington: For continuation of construction of Grand Coulee Dam and appurtenant works, \$23,000,000, of which not to exceed \$350,000 may be used for the purposes set out in section 2 of the Act of May 27, 1937 (50 Stat. 208): *Provided*, That this appropriation and the unexpended balances of appropriations heretofore made for the construction of this project shall be available until expended and shall be accounted for as one fund, entitled "Grand Coulee Dam project, Washington";

Cooperative investigations: The appropriation of \$200,000 for cooperative investigations, contained in the Interior Department Appropriation Act, fiscal year 1939, shall remain available for the same purposes until expended;

For administrative expenses on account of the above projects, including personal services in the District of Columbia and in the field \$700,000, in addition to and for the same objects of expenditure as are hereinbefore enumerated in paragraphs 2 and 3 under the caption "Bureau of Reclamation"; in all, \$39,700,000: *Provided*, That of this amount not to exceed \$50,000 may be expended for personal services in the District of Columbia.

#### WATER CONSERVATION AND UTILITY PROJECTS

For construction, in addition to labor and materials to be supplied by the Works Progress Administration, of water conservation and utilization projects, including acquisition of water rights, rights-of-way, and other interests in land, in the Great Plains and arid and semiarid areas of the United States, to be immediately available, \$5,000,000, to be allocated by the President, in such amounts as he deems necessary, to such Federal Departments, establishments, and other agencies as he may designate, and to be reimbursed to the United States by the water users on such projects in not to exceed forty annual installments: *Provided*, That expenditures from Works Progress Administration funds shall be subject to such provisions with respect to reimbursability as the President may determine.

#### GEOLOGICAL SURVEY

For every expenditure requisite for and incident to the authorized work of the Geological Survey, including personal services in the District of Columbia and in the field, including not to exceed \$40,000 for the purchase and exchange, and not to exceed \$65,000 for the hire, maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles for field use only by geologists, topographers, engineers, and land classifiers, and the Geological

Central Valley,  
Calif.  
*Proviso.*  
Funds available; accounting.

Pine River, Colo.  
Colorado River,  
Tex.

52 Stat. 324.

*Proviso.*  
Reimbursement,  
Marshall Ford Dam.  
50 Stat. 850.

Grand Coulee Dam,  
Wash.

Surveys, etc.

50 Stat. 210.

*Proviso.*  
Funds available;  
accounting.

Cooperative inves-  
tigations.  
Reappropriation.  
52 Stat. 324.

Administrative ex-  
penses.

*Ante*, p. 714.

*Proviso.*  
Services in the Dis-  
trict.

Construction, etc.,  
in Great Plains and  
arid, etc., areas.

Allocations.

Reimbursement by  
water users.

*Proviso.*  
Reimbursability,  
expenditures from  
Works Progress Ad-  
ministration funds.

General expenses.

Vehicles.



Traveling expenses.  
Attendance at meet-  
ings.

Survey is authorized to exchange unserviceable and worn out passenger-carrying and freight-carrying vehicles as part payment for new freight-carrying vehicles, and including not to exceed \$3,000 for necessary traveling expenses of the Director and members of the Geological Survey acting under his direction, for attendance upon meetings of technical, professional, and scientific societies when required in connection with the authorized work of the Geological Survey, to be expended under the regulations from time to time prescribed by the Secretary of the Interior, and under the following heads:

Salaries.

Salaries: For the Director of the Geological Survey and other personal services in the District of Columbia, \$150,000;

Topographic sur-  
veys.

Topographic surveys: For topographic surveys in various portions of the United States, \$725,000, of which amount not to exceed \$250,000 may be expended for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be expended in cooperation with States or municipalities except upon the basis of the State or municipality bearing all of the expense incident thereto in excess of such an amount as is necessary for the Geological Survey to perform its share of standard topographic surveys, such share of the Geological Survey in no case exceeding 50 per centum of the cost of the survey: *Provided further*, That \$280,500 of this amount shall be available only for such cooperation with States or municipalities;

*Provisos.*  
Cooperation with  
States.

Limitation on  
amount.

Geologic surveys.

Geologic surveys: For geologic surveys in the various portions of the United States and chemical and physical researches relative thereto, \$500,000, of which not to exceed \$300,000 may be expended for personal services in the District of Columbia;

Mineral resources of  
Alaska.

Mineral resources of Alaska: For continuation of the investigation of the mineral resources of Alaska, \$60,000, to be available immediately, of which amount not to exceed \$25,000 may be expended for personal services in the District of Columbia;

Gaging streams; in-  
vestigations, etc.  
*Post*, p. 1317.

Gaging streams: For gaging streams and determining the water supply of the United States, the investigation of underground currents and artesian wells, and the preparation of reports upon the best methods of utilizing the water resources, \$1,118,000, of which amount not to exceed \$140,000 may be expended for personal services in the District of Columbia: *Provided*, That no part of this appropriation shall be expended in cooperation with States or municipalities except upon the basis of the State or municipality bearing all of the expense incident thereto in excess of such an amount as is necessary for the Geological Survey to perform its share of general water resource investigations, such share of the Geological Survey in no case exceeding 50 per centum of the cost of the investigation: *Provided further*, That \$900,000 of this amount shall be available only for such cooperation with States or municipalities;

Services in the Dis-  
trict.

*Provisos.*  
Cooperation with  
States.

Limitation on  
amount.

Classification of  
lands as to mineral  
character, etc.

Classification of lands: For the examination and classification of lands with respect to mineral character and water resources as required by the public-land laws and for related administrative operations; for the preparation and publication of mineral-land classification and water-resources maps and reports; for engineering supervision of power permits and grants under the jurisdiction of the Secretary of the Interior; and for performance of work of the Federal Power Commission, \$105,000, of which amount not to exceed \$60,000 may be expended for personal services in the District of Columbia;

Printing and bind-  
ing, etc.

Printing and binding, and so forth: For printing and binding, \$125,000; for preparation of illustrations, \$25,000; and for engraving and printing geologic and topographic maps, \$170,000; in all, \$320,000;

Mineral leasing: For the enforcement of the provisions of the Acts of October 20, 1914 (48 U. S. C. 435), October 2, 1917 (30 U. S. C. 141), February 25, 1920 (30 U. S. C. 181), as amended, and March 4, 1921 (48 U. S. C. 444), and other Acts relating to the mining and recovery of minerals on Indian and public lands and naval petroleum reserves; and for every other expense incident thereto, including supplies, equipment, expenses of travel and subsistence, the construction, maintenance, and repair of necessary camp buildings and appurtenances thereto, \$315,000, of which amount not to exceed \$65,000 may be expended for personal services in the District of Columbia;

During the fiscal year 1940 the head of any department or independent establishment of the Government having funds available for scientific and technical investigations and requiring cooperative work by the Geological Survey on scientific and technical investigations within the scope of the functions of that Bureau and which it is unable to perform within the limits of its appropriations may, with the approval of the Secretary of the Interior, transfer to the Geological Survey such sums as may be necessary to carry on such investigations. The Secretary of the Treasury shall transfer on the books of the Treasury Department any sums which may be authorized hereunder, and such amounts shall be placed to the credit of the Geological Survey for the performance of work for the department or establishment from which the transfer is made: *Provided*, That any sums transferred by any department or independent establishment of the Government to the Geological Survey for cooperative work in connection with this appropriation may be expended in the same manner as sums appropriated herein may be expended: *Provided further*, That any funds herein appropriated for the Geological Survey for cooperative work may be utilized prior to July 1, 1939, as required to enable the Geological Survey to continue its cooperative work pending reimbursement from cooperative agencies, the amount so utilized to be repaid to the appropriation from which advanced;

During the fiscal year 1940, upon the request of the Secretary of the Interior, the Secretary of War or the Secretary of the Navy is authorized to furnish aerial photographs required for mapping projects, insofar as the furnishing of such photographs will be economical to the Federal Government and does not conflict with military or naval operations or the other parts of the regular training program of the Army, Navy, and Marine Corps flying services, and the Secretary of the Interior is authorized to reimburse the War or Navy Department for the cost of making the photographs, such cost to be confined to the actual cost of gasoline, oil, film, paper, chemicals, and the labor performed in developing the photographic negatives and the printing of copies of photographs, and the per diem expenses of the personnel authorized by law, together with such incidental expenses as care and minor repairs to plane and transportation of personnel to and from projects, and the War Department or the Navy Department, on request of the Department of the Interior, is authorized to furnish copies to any State, county, or municipal agency cooperating with the Federal Government in the mapping project for which the photographs were taken. In the event that the Director of the Geological Survey deems it advantageous to the Government, the Geological Survey is authorized to contract with civilian aerial photographic concerns for the furnishing of such photographs;

Appropriations herein made, and funds transferred thereto, shall be available for payment of the costs of packing, crating, and transportation (including drayage) of personal effects of employees upon

Mineral leasing.  
38 Stat. 742; 40 Stat.  
297; 41 Stat. 437, 1363.  
48 U. S. C. §§ 435,  
444; 30 U. S. C. §§ 141,  
181.

Cooperative work  
on scientific, etc., in-  
vestigations for Gov-  
ernment agencies.

Transfer of funds.

*Provided*.  
Expenditure.

Cooperative work;  
availability of funds.

Aerial photographs  
for mapping projects.

Contracts with ci-  
vilians.

Transportation of  
personal effects of em-  
ployees.

permanent change of station, under regulations to be prescribed by the Secretary of the Interior;

In all, salaries and expenses, United States Geological Survey, \$3,293,000.

## BUREAU OF MINES

### SALARIES AND GENERAL EXPENSES

Salaries and general expenses.

Salaries and general expenses: For general expenses, including pay of the Director and necessary assistants, clerks, and other employees, in the office in the District of Columbia and in the field, and every other expense requisite for and incident to the general work of the Bureau in the District of Columbia and in the field, to be expended under the direction of the Secretary of the Interior, \$66,000, of which amount not to exceed \$53,440 may be expended for personal services in the District of Columbia;

Mine rescue cars and stations.

Operating mine rescue cars and stations and investigation of mine accidents: For the investigation and improvement of mine-rescue and first-aid methods and appliances and the teaching of mine safety, rescue, and first-aid methods; investigations as to the causes of mine explosions, causes of falls of roof and coal, methods of mining, especially in relation to the safety of miners, the appliances best adapted to prevent accidents, the possible improvement of conditions under which mining operations are carried on, the use of explosives and electricity, the prevention of accidents, statistical studies and reports relating to mine accidents, and other inquiries and technologic investigations pertinent to the mining industry; the exchange in part payment for operation, maintenance, and repair of mine-rescue trucks; the construction of temporary structures and the repair, maintenance, and operation of mine-rescue cars and the Government-owned mine-rescue stations and appurtenances thereto; personal services, traveling expenses and subsistence, equipment, and supplies; travel and subsistence, and other incidental expenses of employees in attendance at meetings and conferences held for the purpose of promoting safety and health in the mining and allied industries; purchase not exceeding \$6,000, exchange as part payment for, operation, maintenance, and repair of motor-propelled passenger-carrying vehicles for official use in field work; purchase and exchange in part payment therefor of cooks' uniforms, goggles, gloves, rubber boots, aprons, and such other articles or equipment as may be necessary in connection with the purposes of this paragraph; including not to exceed \$67,100 for personal services in the District of Columbia, \$656,000: *Provided*, That of this amount not to exceed \$500 may be expended for the purchase and bestowal of trophies in connection with mine-rescue and first-aid contests;

Investigations of accidents, etc.

Attendance at meetings, etc.

Vehicles.

*Proviso.*  
Trophies, mine-rescue, etc., contests.

Testing fuel.

Testing fuel: To conduct inquiries and scientific and technologic investigations concerning the mining, preparation, treatment, and use of mineral fuels, and for investigation of mineral fuels belonging to or for the use of the United States, with a view to their most efficient utilization; to recommend to various departments such changes in selection and use of fuel as may result in greater economy, and, upon request of the Director of the Bureau of the Budget, to investigate the fuel-burning equipment in use by or proposed for any of the departments, establishments, or institutions of the United States in the District of Columbia, \$257,400, of which amount not to exceed \$29,400 may be expended for personal services in the District of Columbia;

Mineral mining investigations.

Mineral mining investigations: For inquiries and scientific and technologic investigations concerning the mining, preparation, treatment, and utilization of ores and mineral substances, other than fuels,

with a view to improving health conditions and increasing safety, efficiency, economic development, and conserving resources through the prevention of waste in the mining, quarrying, metallurgical, and other mineral industries; to inquire into the economic conditions affecting these industries; and including all equipment, supplies, expenses of travel and subsistence, and the purchase, not to exceed \$12,000, including exchange, operation, maintenance, and repair of motor-propelled passenger-carrying vehicles for official use in field work, including not to exceed \$27,900 for personal services in the District of Columbia, \$274,860: *Provided*, That no part of this appropriation may be expended for an investigation in behalf of any private party;

Oil and gas investigations: For inquiries and investigations and dissemination of information concerning the mining, preparation, treatment, and utilization of petroleum and natural gas, including economic conditions affecting the industry, with a view to economic development and conserving resources through the prevention of waste; for the purchase of newspapers relating to the oil, gas, and allied industries: *Provided*, That section 192 of the Revised Statutes (5 U. S. C. 102) shall not apply to such purchase of newspapers from this appropriation; and for every other expense incident thereto, including supplies, equipment, expenses of travel and subsistence, purchase, not to exceed \$4,000, exchange as part payment for, maintenance, and operation of motor-propelled passenger-carrying vehicles for official use in field work, purchase of laboratory gloves, goggles, rubber boots, and aprons, \$260,000, of which amount not to exceed \$22,600 may be expended for personal services in the District of Columbia;

Mining experiment stations: For the employment of personal services, purchase of laboratory gloves, goggles, rubber boots, and aprons, the purchase not to exceed \$3,000, exchange as part payment for, maintenance and operation of motor-propelled passenger-carrying vehicles for official use in field work, and all other expenses in connection with the establishment, maintenance, and operation of mining experiment stations, as provided in the Act authorizing additional mining experiment stations, approved March 3, 1915 (30 U. S. C. 8), \$527,000, of which appropriation not to exceed \$17,100 may be expended for personal services in the District of Columbia;

Building and equipment, University of Utah, Bureau of Mines: The unexpended balance of the appropriation under this head for the fiscal year 1939 contained in the Second Deficiency Appropriation Act, fiscal year 1938, is hereby continued available for the same purposes until June 30, 1940;

Buildings and grounds, Pittsburgh, Pennsylvania: For care and maintenance of buildings and grounds at Pittsburgh and Bruceton, Pennsylvania, including personal services, the purchase, exchange as part payment for, operation, maintenance, and repair of passenger automobiles for official use, and all other expenses requisite for and incident thereto, including not to exceed \$5,000 for additions and improvements, \$95,000;

For the purchase of land at Bruceton, Pennsylvania, adjacent to the land now owned by the United States and occupied and used for the purposes of the explosives testing station and experimental mine of the Bureau of Mines; the purchase of unmined crop coal, oil and gas in and under the land to be purchased and the land now owned and occupied in connection with the said testing station and experimental mine; the recording of deeds; and the purchase and erection of fences, including personal services, materials and supplies, \$35,000;

Economics of mineral industries: For inquiries and investigations, and the dissemination of information concerning the economic problems of the mining, quarrying, metallurgical, and other mineral industries, with a view to assuring ample supplies and efficient distribution

Vehicles.

*Proviso.*  
Investigations for private parties.  
Oil and gas investigations.

*Proviso.*  
Purchase of newspapers.  
R. S. § 192.  
5 U. S. C. § 102.

Mining experiment stations.  
*Post*, p. 1317.

Additional stations.

38 Stat. 959.  
30 U. S. C. § 8.

University of Utah, building and equipment.

52 Stat. 1133.

Pittsburgh and Bruceton, Pa., care, etc., of buildings and grounds.

Bruceton, Pa., purchase of land.

Economics of mineral industries.  
Investigations, etc.  
*Post*, p. 1317.

Reports. Statistical inquiries.	of the mineral products of the mines and quarries, including studies and reports relating to uses, reserves, production, distribution, stocks, consumption, prices, and marketing of mineral commodities and primary products thereof; preparation of the reports of the mineral resources of the United States, including special statistical inquiries; and including personal services in the District of Columbia and elsewhere; purchase of furniture and equipment; stationery and supplies; typewriting, adding and computing machines, accessories and repairs; newspapers; traveling expenses; purchase, not exceeding \$1,200, exchange as part payment for, operation, maintenance, and repair of motor-propelled passenger-carrying vehicles for official use in field work; and for all other necessary expenses not included in the foregoing, \$324,500, of which amount not to exceed \$230,000 may be expended for personal services in the District of Columbia;
Vehicles.	Helium production and investigations: The sums made available for the fiscal year 1940 in the Acts making appropriations for the War and Navy Departments for the acquisition of helium from the Bureau of Mines shall be transferred to the Bureau of Mines on July 1, 1939, for operation and maintenance of the plants for the production of helium for military and naval purposes, including laboratory gloves, goggles, rubber boots, and aprons; purchase, not to exceed \$1,200, and exchange as part payment for, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles for official use in field work, and all other necessary expenses, and including \$11,300 for personal services in the District of Columbia;
Helium production and investigations. <i>Ante</i> , p. 606; <i>post</i> , p. 774.	During the fiscal year 1940 the head of any department or independent establishment of the Government having funds available for scientific investigations and requiring cooperative work by the Bureau of Mines on scientific investigations within the scope of the functions of that Bureau and which it is unable to perform within the limits of its appropriations may, with the approval of the Secretary of the Interior, transfer to the Bureau of Mines such sums as may be necessary to carry on such investigations. The Secretary of the Treasury shall transfer on the books of the Treasury Department any sums which may be authorized hereunder, and such amounts shall be placed to the credit of the Bureau of Mines for the performance of work for the department or establishment from which the transfer is made: <i>Provided</i> , That any sums transferred by any department or independent establishment of the Government to the Bureau of Mines for cooperative work in connection with this appropriation may be expended in the same manner as sums appropriated herein may be expended;
Scientific investigations for departments, etc.	For necessary traveling expenses of the Director and employees of the Bureau, acting under his direction, for attendance upon meetings of technical, professional, and scientific societies, when required in connection with the authorized work of the Bureau of Mines and incurred on the written authority of the Secretary of the Interior, there is hereby made available from any appropriations made to the Bureau of Mines not to exceed in all, \$3,000;
Transfer of sums.	Persons employed during the fiscal year 1940 in field work outside of the District of Columbia under the Bureau of Mines may be detailed temporarily for service in the District of Columbia for the purpose of preparing results of their field work; all persons so detailed shall be paid in addition to their regular compensation only traveling expenses in going to and returning therefrom: <i>Provided</i> , That nothing herein shall prevent the payment to employees of the Bureau of Mines of their necessary expenses, or per diem in lieu of subsistence, while on temporary detail in the District of Columbia for purposes only of consultation or investigations on behalf of the
<i>Proviso</i> . Expenditure.	
Traveling expenses, attendance at meetings.	
Detail of field employees.	
Traveling expenses.	
<i>Proviso</i> . Payment of employees' expenses.	

United States. All details made hereinunder, and the purposes of each, during the preceding fiscal year shall be reported in the annual estimates of appropriations to Congress at the beginning of each regular session thereof;

Report of details to Congress.

The Secretary of the Treasury may detail medical officers of the Public Health Service for cooperative health, safety, or sanitation work with the Bureau of Mines, and the compensation and expenses of the officers so detailed may be paid from the applicable appropriations made herein for the Bureau of Mines;

Details from Public Health Service.

Appropriations for the fiscal year 1940 available for expenses of travel of officers and employees of the Bureau of Mines, and funds transferred thereto, shall be available for expenses of travel performed by them on transfer from one official station to another when authorized by the Secretary of the Interior, and for the expenses incurred in packing, crating, drayage, and transportation of household effects and other personal property of employees so transferred, under regulations to be prescribed by the Secretary of the Interior;

Traveling expenses, on transfer from one station to another.

Transportation of household effects, etc.

Total, Bureau of Mines, \$2,495,760.

## NATIONAL PARK SERVICE

**Salaries:** For the Director of the National Park Service and other personal services in the District of Columbia, including accounting services in checking and verifying the accounts and records of the various operators, licensees, and permittees conducting utilities and other enterprises within the national parks and monuments, and including the services of specialists and experts for investigations and examinations of lands to determine their suitability for national-park and national-monument purposes: *Provided*, That such specialists and experts may be employed for temporary service at rates to be fixed by the Secretary of the Interior to correspond to those established by the Classification Act of 1923, as amended, and without reference to the Civil Service Act of January 16, 1883, \$259,580, of which amount not to exceed \$19,200 may be expended for the services of field employees engaged in examination of lands and in developing the educational work of the National Park Service.

Salaries.

Specialists and experts.

*Proviso.*  
Employment without reference to Civil Service, etc., acts.

5 U. S. C. §§ 661-674;  
Supp. IV, §§ 673, 673c.  
5 U. S. C. §§ 631-652.  
Field employees.

**Regional offices:** For salaries and expenses of regional offices necessary in the administration, protection, maintenance, and improvement of the National Park System, including not to exceed \$1,200 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles, and not exceeding \$8,000 for personal services in the District of Columbia, \$34,000.

Regional offices.

**General expenses:** For every expenditure requisite for and incident to the authorized work of the office of the Director of the National Park Service not herein provided for, including traveling expenses, telegrams, photographic supplies, prints, and motion-picture films, necessary expenses of attendance at meetings concerned with the work of the National Park Service when authorized by the Secretary of the Interior, and necessary expenses of field employees engaged in examination of lands and in developing the educational work of the National Park Service, \$36,500: *Provided*, That necessary expenses of field employees in attendance at such meetings, when authorized by the Secretary, shall be paid from the various park and monument appropriations.

General expenses.

*Proviso.*  
Field employees, attendance at meetings.

**Acadia National Park, Maine:** For administration, protection, and maintenance, including \$3,000 for George B. Dorr as superintendent without regard to the requirements of the provisions of the Civil Service Retirement Act approved May 22, 1920 (5 U. S. C. 691-693, 697-731), as amended, \$3,000 for temporary clerical services for inves-

National parks, administration, etc.  
Acadia, Maine.  
George B. Dorr.

5 U. S. C. §§ 691-693,  
697-731; Supp. IV, ch.  
14.

Vehicles.	<p>tigation of titles and preparation of abstracts thereof of lands donated to the United States for inclusion in the Acadia National Park, and not exceeding \$2,250 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$55,000.</p>
Bryce Canyon, Utah.	<p>Bryce Canyon National Park, Utah: For administration, protection, and maintenance, including not exceeding \$300 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with the general park work, and including not exceeding \$3,200 for the construction of a comfort station, and water and sewer line connections, \$20,980.</p>
Carlsbad Caverns, N. Mex.	<p>Carlsbad Caverns National Park, New Mexico: For administration, protection, and maintenance, including not exceeding \$800 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$102,170.</p>
Crater Lake, Oreg.	<p>Crater Lake National Park, Oregon: For administration, protection, and maintenance, including not exceeding \$1,430 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$85,000.</p>
General Grant, Calif.	<p>General Grant National Park, California: For administration, protection, and maintenance, including not exceeding \$500 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles, \$23,345.</p>
Glacier, Mont.	<p>Glacier National Park, Montana: For administration, protection, and maintenance, including necessary repairs to the roads from Glacier Park Station through the Blackfeet Indian Reservation to the various points in the boundary line of the Glacier National Park and the international boundary, including not exceeding \$2,200 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$221,210.</p>
Grand Canyon, Ariz.	<p>Grand Canyon National Park, Arizona: For administration, protection, and maintenance, including not exceeding \$1,750 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$129,200.</p>
Grand Teton, Wyo.	<p>Grand Teton National Park, Wyoming: For administration, protection, and maintenance, including not exceeding \$870 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$28,400.</p>
Great Smoky Mountains, N. C.-Tenn.	<p>Great Smoky Mountains National Park, North Carolina and Tennessee: For administration, protection, and maintenance, including not to exceed \$1,150 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for use in connection with general park work, \$89,400.</p>
Hawaii.	<p>Hawaii National Park: For administration, protection, and maintenance, including not exceeding \$1,380 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$62,000.</p>
Hot Springs, Ark. <i>Post</i> , p. 1318.	<p>Hot Springs National Park, Arkansas: For administration, protection, maintenance, and improvement, including not exceeding \$700 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$73,870.</p>

Proposed Isle Royale National Park, Michigan: For administration, protection, and maintenance, \$20,000: *Provided*, That no part of this appropriation shall be available for expenditure in advance of the establishment of said park in accordance with the provisions of the Act of March 3, 1931.

Isle Royale, Mich.,  
proposed.  
*Proviso.*  
Use in advance of  
establishment for-  
bidden.  
46 Stat. 1514.  
16 U. S. C. § 408.  
Lassen Volcanic,  
Calif.

Lassen Volcanic National Park, California: For administration, protection, and maintenance, including not exceeding \$700 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, and including not to exceed \$1,000 for the maintenance of approach roads through the Lassen National Forest, \$53,225.

Mesa Verde National Park, Colorado: For administration, protection, and maintenance, including not exceeding \$750 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$59,715.

Mesa Verde, Colo.

Mount McKinley National Park, Alaska: For administration, protection, and maintenance, including not exceeding \$200 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$29,970.

Mount McKinley,  
Alaska.

Mount Rainier National Park, Washington: For administration, protection, maintenance, and improvement, including not exceeding \$1,775 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$156,275.

Mount Rainier,  
Wash.

Olympic National Park, Washington: For administration, protection, and maintenance, including not exceeding \$300 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$50,000.

Olympic, Wash.

Platt National Park, Oklahoma: For administration, protection, and maintenance, including not exceeding \$300 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$20,325.

Platt, Okla.

Rocky Mountain National Park, Colorado: For administration, protection, and maintenance, including not exceeding \$400 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of superintendent and employees in connection with general park work, and not exceeding \$3,100 for the purchase of land, \$98,485.

Rocky Mountain,  
Colo.

Sequoia National Park, California: For administration, protection, and maintenance, including not exceeding \$1,275 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, including maintenance and repair of the Generals Highway between the boundaries of Sequoia and General Grant National Parks, \$131,735, and the unexpended balance of the appropriation of \$25,000 contained in the Interior Department Appropriation Act, 1939, under this head for the development of Crystal Cave and the approach road thereto is continued available for this purpose until June 30, 1940.

Sequoia, Calif.

Generals Highway,  
maintenance, etc.

Crystal Cave, devel-  
opment.  
52 Stat. 332.

Shenandoah National Park, Virginia: For administration, protection, and maintenance, including not exceeding \$1,650 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$75,460.

Shenandoah, Va.



Wind Cave, S. Dak.	Wind Cave National Park, South Dakota: For administration, protection, and maintenance, including not exceeding \$150 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$20,170.
Yellowstone, Wyo.	Yellowstone National Park, Wyoming: For administration, protection, and maintenance, including not exceeding \$3,675 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, not exceeding \$15,500 for maintenance of the roads in the national forests leading out of the park from the east, northeast, southwest, and south boundaries, and including feed for buffalo and other animals and salaries of buffalo keepers, \$463,520.
Yosemite, Calif.	Yosemite National Park, California: For administration, protection, and maintenance, including not exceeding \$2,550 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, not exceeding \$2,000 for maintenance of the road in the Stanislaus National Forest connecting the Tioga Road with the Hetch Hetchy Road near Mather Station, and including necessary expenses of a comprehensive study of the problems relating to the use and enjoyment of the Yosemite National Park and the preservation of its natural features, \$335,000.
Zion, Utah.	Zion National Park, Utah: For administration, protection, and maintenance, including not exceeding \$620 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the superintendent and employees in connection with general park work, \$49,220.
National monuments, administration, etc.	National monuments: For administration, protection, maintenance, and preservation of national monuments, including not exceeding \$7,000 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles for the use of the custodians and employees in connection with general monument work, \$283,515.
National historical parks and monuments.	National historical parks and monuments: For administration, protection, maintenance, and improvement, including not exceeding \$2,400 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles, \$159,560.
National military parks, battlefields, etc.	National military parks, battlefields, monuments, and cemeteries: For administration, protection, maintenance, and improvement, including not exceeding \$10,000 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles, \$388,860.
Manassas, Va., administration-museum building.	Manassas National Battlefield Park, Virginia: For the construction of an administration-museum building in the Manassas National Battlefield Park, Virginia, \$56,000, to remain available until expended.
Markers on route of armies in Georgia during War between the States. 52 Stat. 1134.	The unexpended balance of the amount of \$10,000, included in the appropriation for the fiscal year 1938 for "National military parks, battlefields, monuments, and cemeteries", to provide for the erection and maintenance of permanent markers along the route followed by the armies in Georgia during the War between the States, is continued available for the same purposes until June 30, 1940.
Appomattox Court House, Va., addition and improvements.	Not to exceed \$8,000 of the amount of \$100,000 appropriated in the Interior Department Appropriation Act, fiscal year 1937, for the development and improvement of the Appomattox Court House National Historical Monument, Virginia, in accordance with the provisions of the Act approved August 13, 1935 (49 Stat. 613), is hereby made available for the acquisition of approximately fifteen acres of land and improvements thereon within the proposed boundaries of the monument.
49 Stat. 1794, 613.	

Ackia National Memorial Commission and Battleground National Monument: The unexpended balance of the appropriation to carry out the provisions of the Act entitled "An Act to provide for the commemoration of the two-hundredth anniversary of the Battle of Ackia, Mississippi, and the establishment of the Ackia Battleground National Monument, and for other purposes", approved August 27, 1935, contained in the Supplemental Appropriation Act, fiscal year 1936, and continued available during the fiscal year 1938, is hereby continued available for the same purposes during the fiscal year 1940.

Ackia National Memorial Commission and Battleground National Monument.

49 Stat. 897, 1119; 50 Stat. 765; 52 Stat. 1134.

Boulder Dam National Recreational Area, Arizona and Nevada: For administration, protection, improvement, and maintenance of the recreational activities of the Boulder Dam National Recreational Area and any lands that may be added thereto by Presidential or other authority, including not exceeding \$800 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles, and not to exceed \$10,000 for the lighting of the airplane landing field at Boulder City, Nevada, \$99,730.

Boulder Dam National Recreational Area, Ariz. and Nev.

Emergency reconstruction and fighting forest fires in national parks: For reconstruction, replacement, and repair of roads, trails, bridges, buildings, and other physical improvements and of equipment in national parks or national monuments that are damaged or destroyed by flood, fire, storm, or other unavoidable causes during the fiscal year 1940, and for fighting or emergency prevention of forest fires in national parks or other areas administered by the National Park Service, or fires that endanger such areas, \$40,000, and in addition thereto the unexpended balance for this purpose for the fiscal year 1939 is continued available during the fiscal year 1940, together with not to exceed \$100,000 to be transferred upon the approval of the Secretary of the Interior from the various appropriations for national parks and national monuments herein contained, any such diversions of appropriations to be reported to Congress in the annual Budget: *Provided*, That the allotment of these funds to the various national parks or areas administered by the National Park Service as may be required for fire-fighting purposes shall be made by the Secretary of the Interior, and then only after the obligation for the expenditure has been incurred.

Emergency reconstruction and fighting forest fires.

Unexpended balance continued available.  
52 Stat. 333.

*Proviso.*  
Restriction on allotment.

Forest protection and fire prevention: For the control and the prevention of spread of forest insects and tree diseases and for fire-prevention measures, including equipment, and personal services in the District of Columbia (not to exceed \$20,500) and elsewhere, \$120,000, to be immediately available.

Forest protection and fire prevention.

The total of the foregoing amounts shall be available in one fund for the National Park Service: *Provided*, That 10 per centum of the foregoing amounts shall be available interchangeably and shall be reported to Congress in the annual Budget.

Accounting.

*Proviso.*  
Sums interchangeable.

Appropriations herein made for the national parks, national monuments, and other reservations under the jurisdiction of the National Park Service, shall be available for the giving of educational lectures therein; for the services of field employees in cooperation with such nonprofit scientific and historical societies engaged in educational work in the various parks and monuments as the Secretary, in his discretion, may designate; and for travel expenses of employees attending Government camps for training in forest-fire prevention and suppression.

Educational lectures, etc.

Appropriations herein and hereafter made for the National Park Service shall be available for the printing of information and directional signs made of cloth and required in the administration of areas under its jurisdiction.

Information and directional signs.

Telephones in Government-owned residences, etc.

Appropriations herein made for the National Park Service shall be available for the installation and operation of telephones in Government-owned residences, apartments, or quarters occupied by employees of the National Park Service.

Roads and trails.

Roads and Trails, National Park Service: For the construction, reconstruction, and improvement of roads and trails, inclusive of necessary bridges, in the national parks, monuments, and other areas administered by the National Park Service, including the Boulder Dam National Recreational Area, and other areas authorized to be established as national parks and monuments, and national park and monument approach roads authorized by the Act of January 31, 1931 (16 U. S. C. 8a and 8b), as amended, including the roads from Glacier Park Station through the Blackfeet Indian Reservation to various points in the boundary line of the Glacier National Park and the international boundary, and for the acquisition of lands and interests in land and expenses incidental thereto necessary for the construction of connecting parkways for the Colonial National Historical Park in accordance with the provisions of the Act of Congress approved June 5, 1936 (49 Stat. 1483), as amended by the Act of June 28, 1938 (Public Law Numbered 753, Seventy-fifth Congress), and pursuant to the authorization of the Act of March 3, 1931 (46 Stat. 1490), \$3,500,000, to be immediately available and to remain available until expended: *Provided*, That not to exceed \$60,000 of the amount herein appropriated may be expended for personal services in the District of Columbia during the fiscal year 1940.

46 Stat. 1053.  
16 U. S. C. §§ 8a, 8b.

Colonial National Historical Park, connecting parkways.

49 Stat. 1483; 52 Stat. 1208.  
16 U. S. C., Supp. IV, §§ 81-81h.  
46 Stat. 1490.  
16 U. S. C. § 443c; Supp. IV, § 81f.  
*Proviso.*  
Services in the District.

Blue Ridge and Natchez Trace Parkways.

52 Stat. 635.

Vehicles.

Blue Ridge and Natchez Trace Parkways: For continuing the construction and maintenance, under the provisions of section 8 of the Act of June 8, 1938 (52 Stat. 635), of the Blue Ridge and Natchez Trace Parkways, including not exceeding \$3,100 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles, to be immediately available and remain available until expended, \$4,500,000, of which amount not to exceed \$50,000 shall be available for personal services in the District of Columbia: *Provided*, That \$1,350,000 and any other sums received from other sources for said Natchez Trace Parkway shall be allotted and expended ratably between the States of Mississippi, Alabama, and Tennessee according to mileage of said parkway in each respective State and said allotments shall be used for no other purpose: *Provided further*, That the Secretary of the Interior shall make a detailed statement of expenditures from this appropriation to the Senate and House Committees on Appropriations at the beginning of the next regular session of Congress.

*Provisos.*  
Allotments to designated States.

Statement of expenditures to Congress.

Historic sites and buildings.

49 Stat. 666.  
16 U. S. C., Supp. IV, § 461.

Water rights, investigations, etc.

Historic sites and buildings: For carrying out the provisions of the Act entitled "An Act to provide for the preservation of historic American sites, buildings, objects, and antiquities of national significance, and for other purposes", approved August 21, 1935 (49 Stat. 666), including personal services in the District of Columbia, \$24,000.

Investigation and purchase of water rights: For the investigation and establishment of water rights, including the purchase thereof or of lands or interests in lands or rights-of-way for use and protection of water rights necessary or beneficial in connection with the administration and public use of the national parks and monuments, and including not exceeding \$500 for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles, \$42,000.

Public buildings and grounds, D. C.  
Salaries and expenses.

Salaries and general expenses, public buildings and grounds in the District of Columbia: For administration, protection, maintenance, and improvement of public buildings, monuments, memorials, and grounds in the District of Columbia under the jurisdiction of the National Park Service, including the National Archives Building; per

diem employees at rates of pay approved by the Director, not exceeding current rates for similar services in the District of Columbia, and such employees in emergencies may be entered on duty subject to confirmation by the Secretary of the Interior; rent of buildings; demolition of buildings; expenses incident to moving various executive departments and establishments in connection with the assignment, allocation, transfer, and survey of building space; traveling expenses and carfare; leather and rubber articles and gas masks for the protection of public property and employees; furnishings and equipment; arms and ammunition for the guard force; not exceeding \$37,400 for purchase, repair, and cleaning of uniforms for guards and elevator conductors; and the purchase, maintenance, repair, exchange, storage, and operation of four motor-propelled passenger-carrying vehicles; \$7,950,962, of which amount not to exceed \$500,000 shall be available for major repairs and improvements to public buildings, monuments, memorials, and grounds in the District of Columbia.

Salaries and expenses, public buildings outside the District of Columbia: For administration, protection, and maintenance, including improvement, repair, cleaning, heating, lighting, rental of buildings and equipment, supplies, materials, furnishings and equipment, personal services, arms, ammunition, leather and rubber articles and gas masks for the protection of public property and employees, and every expenditure requisite for and incidental to such maintenance and operation of public buildings outside of the District of Columbia under the jurisdiction of the National Park Service, \$783,700: *Provided*, That not to exceed \$5,040 of the amount herein appropriated may be expended for personal services in the District of Columbia and not to exceed \$200,000 shall be available for major repairs and improvements to the building located at 45 Broadway, New York, New York.

Salaries and expenses, National Capital parks: For administration, protection, maintenance, and improvement of the Mount Vernon Memorial Highway, Arlington Memorial Bridge, George Washington Memorial Parkway, Federal parks in the District of Columbia, and other Federal lands authorized by the Act of May 29, 1930 (46 Stat. 482), including the pay and allowances in accordance with the provisions of the Act of May 27, 1924, as amended, of the police force for the Mount Vernon Memorial Highway and the George Washington Memorial Parkway, and the operation, maintenance, repair, exchange, and storage of three automobiles, revolvers, ammunition, uniforms, and equipment, per-diem employees at rates of pay approved by the Director not exceeding current rates for similar services in the District of Columbia, the hire of draft animals with or without drivers at local rates approved by the Director, traveling expenses and carfare, and leather and rubber articles for the protection of public property and employees, \$263,200, of which \$67,500 shall be available for repairs to the Arlington Memorial Bridge and approaches thereto.

## OFFICE OF EDUCATION

### SALARIES

For the Commissioner of Education and other personal services in the District of Columbia, \$278,780.

### GENERAL EXPENSES

For necessary traveling expenses of the Commissioner and employees acting under his direction, including attendance at meetings of educational associations, societies, and other organizations, and includ-

Vehicles.

Repairs, etc.

Public buildings  
outside D. C.  
Salaries and ex-  
penses.

*Proviso.*  
Services in the Dis-  
trict.

Repairs, etc., to  
building located at 45  
Broadway, New York,  
N. Y.

National Capital  
parks.  
Salaries and ex-  
penses.

46 Stat. 482.

43 Stat. 174.  
Police force, Mt.  
Vernon Memorial  
Highway, etc.  
Miscellaneous ex-  
penses.

Arlington Memorial  
Bridge, repairs.

Salaries.

Travel, attendance  
at meetings, etc.

ing not to exceed \$3,000 for the expenses of persons attending conferences called to meet in the District of Columbia and elsewhere; for compensation, not to exceed \$500, of employees in field service; for purchase, distribution, and exchange of educational documents, motion-picture films, and lantern slides; collection, exchange, and cataloging of educational apparatus and appliances, articles of school furniture and models of school buildings illustrative of foreign and domestic systems and methods of education, and repairing the same; and other expenses not herein provided for, \$19,500.

Libraries of educational institutions.  
Surveys, reports, etc., of.

For making surveys, studies, investigations, and reports regarding public, school, college, university, and other libraries; fostering coordination of public and school library service; coordinating library service on the national level with other forms of adult education; developing library participation in Federal projects; fostering Nation-wide coordination of research materials among the more scholarly libraries, inter-State library cooperation, and the development of public, school, and other library service throughout the country, and for the administrative expenses incident to performing these duties, including salaries of such assistants, experts, clerks, and other employees in the District of Columbia and elsewhere, as the Commissioner of Education may deem necessary, necessary traveling expenses, including attendance at meetings of educational associations, societies, and other organizations, purchase of miscellaneous supplies, equipment, stationery, typewriters, and exchange thereof, postage on foreign mail, purchase of books of reference, law books, and periodicals, printing and binding, and all other necessary expenses, \$25,000.

Attendance at meetings, etc.

Study of higher education for Negroes.

Study of higher education for Negroes: For all expenses, including personal services in the District of Columbia and elsewhere, purchase and rental of equipment, purchase of supplies, traveling expenses, including attendance at meetings of educational associations, societies, and other organizations, printing and binding, and all other incidental expenses not included in the foregoing, to enable the Secretary of the Interior, through the Office of Education, at a total cost of not to exceed \$40,000, to make a study of higher education for Negroes to determine first, the higher education needs of Negroes, and second, the areas of educational concentration or specialization upon which the various colleges should embark, \$15,000: *Provided*, That specialists and experts for temporary service in this study may be employed at rates to be fixed by the Secretary of the Interior to correspond to those established by the Classification Act of 1923, as amended, and without reference to the Civil Service Act of January 16, 1883.

*Proviso.*  
Employment of specialists, etc.

5 U. S. C. §§ 661-674; Supp. IV, §§ 673, 673c.

5 U. S. C. §§ 631-652.

Agriculture and mechanic arts.

Further endowment of colleges of.

Further endowment of colleges of agriculture and the mechanic arts: For carrying out the provisions of section 22 of the Act entitled "An Act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges", approved June 29, 1935 (49 Stat. 436), \$2,480,000.

49 Stat. 439.  
7 U. S. C., Supp. IV, § 343d.

#### VOCATIONAL EDUCATION

Salaries and expenses.

Salaries and expenses: For carrying out the provisions of section 7 of the Act entitled "An Act to provide for the promotion of vocational education, and so forth", approved February 23, 1917, as amended by the Act of October 6, 1917 (20 U. S. C. 15), and of section 4 of the Act entitled "An Act to provide for the further development of vocational education in the several States and Territories", approved June 8, 1936 (49 Stat. 1488), \$428,200.

39 Stat. 933; 40 Stat. 345.

20 U. S. C. § 15.

49 Stat. 1489.

20 U. S. C., Supp. IV, § 15k.

Further development in States and Territories.

49 Stat. 1488.

20 U. S. C., Supp. IV, §§ 15h-j.

Further development of vocational education: For carrying out the provisions of sections 1, 2, and 3 of the Act entitled "An Act to provide for the further development of vocational education in the several States and Territories", approved June 8, 1936 (49 Stat. 1488-1490),

\$13,750,000: *Provided*, That the apportionment to the States shall be computed on the basis of not to exceed \$14,483,000 for the fiscal year 1940, as authorized by the Act approved June 8, 1936.

For extending to the Territory of Hawaii the benefits of the Act entitled "An Act to provide for the promotion of vocational education, and so forth", approved February 23, 1917 (20 U. S. C. 11-18), in accordance with the provisions of the Act entitled "An Act to extend the provisions of certain laws to the Territory of Hawaii", approved March 10, 1924 (20 U. S. C. 29), \$30,000.

For extending to Puerto Rico the benefits of the Act entitled "An Act to provide for the promotion of vocational education, and so forth", approved February 23, 1917 (20 U. S. C. 11-18), in accordance with the provisions of the Act entitled "An Act to extend the provisions of certain laws relating to vocational education and civilian rehabilitation to Puerto Rico", approved March 3, 1931 (20 U. S. C. 11-18; 29 U. S. C. 31-35; 20 U. S. C. 30), \$105,000.

Cooperative vocational rehabilitation of persons disabled in industry: For carrying out the provisions of the Act entitled "An Act to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment", approved June 2, 1920 (29 U. S. C. 35), as amended by the Act of June 5, 1924 (29 U. S. C. 31), and the Acts of June 9, 1930, and June 30, 1932 (29 U. S. C. 31-40), and section 531 (a) of the Act of August 14, 1935 (49 Stat. 620), \$1,800,000: *Provided*, That the apportionment to the States shall be computed on the basis of not to exceed \$1,938,000, as authorized by the Acts approved June 2, 1920, June 5, 1924, June 9, 1930, June 30, 1932, and August 14, 1935.

Salaries and expenses, vocational rehabilitation: For carrying out the provisions of section 6 of the Act entitled "An Act to provide for the promotion of vocational rehabilitation of persons disabled in industry, and so forth", approved June 2, 1920 (29 U. S. C. 35), and the Acts of June 5, 1924 (29 U. S. C. 31), June 9, 1930, and June 30, 1932 (29 U. S. C. 31, 40), and August 14, 1935 (49 Stat. 620), and for carrying out the provisions of the Act entitled "An Act to authorize the operation of stands in Federal buildings by blind persons, to enlarge the economic opportunities of the blind, and for other purposes", approved June 20, 1936 (49 Stat. 1559, 1560), \$111,500.

Cooperative vocational rehabilitation of disabled residents of the District of Columbia: For personal services, printing and binding, travel and subsistence, and payment of expenses of training, placement, and other phases of rehabilitating disabled residents of the District of Columbia under the provisions of the Act entitled "An Act to provide for the vocational rehabilitation of disabled residents of the District of Columbia", approved February 23, 1929 (45 Stat. 1260), as amended by the Act approved April 17, 1937 (50 Stat. 69), \$25,000.

Promotion of vocational rehabilitation of persons disabled in industry in Hawaii: For extending to the Territory of Hawaii the benefits of the Act entitled "An Act to provide for the promotion of vocational rehabilitation of persons disabled in industry", approved June 2, 1920, as amended (29 U. S. C. 31-44), in accordance with the provisions of the Act entitled "An Act to extend the provisions of certain laws to the Territory of Hawaii", approved March 10, 1924 (29 U. S. C. 45), \$5,000.

Promotion of vocational rehabilitation of persons disabled in industry in Puerto Rico: For extending to the island of Puerto Rico the benefits of the Act entitled "An Act to provide for the promotion of vocational rehabilitation of persons disabled in industry", approved June 2, 1920, as amended (29 U. S. C. 31-44), in accordance with the provisions of the Act entitled "An Act to extend the provisions of

*Proviso.*  
Apportionment.

Extension of benefits to Hawaii.

39 Stat. 929; 43 Stat. 18.  
20 U. S. C. §§ 11-18, 29; Supp. IV, ch. 2.

Extension of benefits to Puerto Rico.

39 Stat. 929; 46 Stat. 1489.  
20 U. S. C. §§ 11-18; 29 U. S. C. §§ 31-35; 20 U. S. C. § 30.

Cooperative vocational rehabilitation of persons disabled in industry.  
41 Stat. 735; 43 Stat. 430; 46 Stat. 524; 47 Stat. 448.  
29 U. S. C. §§ 31-40.  
49 Stat. 633.  
29 U. S. C., Supp. IV, § 45b.  
*Proviso.*  
Basis of apportionment.

Vocational rehabilitation, salaries and expenses.  
41 Stat. 737; 43 Stat. 430; 46 Stat. 524; 47 Stat. 448.  
29 U. S. C. §§ 35, 31, 40.  
49 Stat. 620.  
42 U. S. C., Supp. IV, § 301.  
Operation of vending stands by the blind.  
49 Stat. 1559.  
29 U. S. C., Supp. IV, §§ 107-107f.  
Cooperative vocational rehabilitation, disabled residents of District of Columbia.

45 Stat. 1260; 50 Stat. 69.

Extension of benefits to Hawaii.

41 Stat. 735; 43 Stat. 18.  
29 U. S. C. §§ 31-45.

Extension of benefits to Puerto Rico.

41 Stat. 735.  
29 U. S. C. §§ 31-44.

46 Stat. 1489.  
29 U. S. C. § 45a.

Expenses, attendance at meetings.

Exclusive use of funds.

certain laws relating to vocational education and civilian rehabilitation to Puerto Rico", approved March 3, 1931 (29 U. S. C. 45a), \$15,000.

Not to exceed an aggregate of \$3,000 of appropriations available to the Office of Education for salaries and expenses for vocational education may be used for expenses of attendance at meetings of educational associations and other organizations concerned with vocational education.

All appropriations for vocational education under the Office of Education in this Act shall be used exclusively for vocational education purposes.

## GOVERNMENT IN THE TERRITORIES

### TERRITORY OF ALASKA

Governor and secretary, salaries.  
Incidental and contingent expenses.

Salaries of the Governor and the secretary, \$15,600.

For incidental and contingent expenses of the offices of the Governor and the secretary of the Territory, clerk hire, not to exceed \$7,520; janitor service for the Governor's office and the executive mansion, not to exceed \$3,180; traveling expenses of the Governor while absent from the capital on official business and of the secretary of the Territory while traveling on official business under direction of the Governor; repair and preservation of Governor's house and furniture; for care of grounds and purchase of necessary equipment; stationery, lights, water, and fuel; in all, \$22,400, to be expended under the direction of the Governor.

Public schools, establishment, etc.  
*Proviso.*  
Limitation on expenditures.  
48 Stat. 1227.  
31 U. S. C. § 725c.  
Care of insane.

For the establishment and maintenance of public schools, Territory of Alaska, \$50,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

*Provisos.*  
Payments authorized.

Insane of Alaska: For care and custody of persons legally adjudged insane in Alaska, including compensation and travel expenses of medical supervisor, transportation, burial, and other expenses, \$205,840: *Provided*, That authority is granted to the Secretary of the Interior to pay from this appropriation to the Sanitarium Company, of Portland, Oregon, or to other contracting institution or institutions, not to exceed \$648 per capita per annum for the care and maintenance of Alaskan insane patients during the fiscal year 1940: *Provided further*, That so much of this sum as may be required shall be available for all necessary expenses in ascertaining the residence of inmates and in returning those who are not legal residents of Alaska to their legal residence or to their friends, and the Secretary of the Interior shall, as soon as practicable, return to their places of residence or to their friends all inmates not residents of Alaska at the time they became insane, and the commitment papers for any person hereafter adjudged insane shall include a statement by the committing authority as to the legal residence of such person.

Return, etc., of those not Alaska residents.

Roads, bridges, etc.  
Repair and maintenance.  
47 Stat. 446.  
48 U. S. C. §§ 321a-321c.

For the repair and maintenance of roads, tramways, ferries, bridges, and trails, Territory of Alaska, to be expended under the provisions of the Act approved June 30, 1932 (48 U. S. C. 321a-321c), \$560,000, including not to exceed \$1,500 for repair and maintenance of Government wharf at Juneau, Alaska, to be immediately available.

Juneau, wharf.  
Construction, etc.

*Proviso.*  
Limitation on expenditures.

For the construction, repair, and maintenance of roads, tramways, bridges, trails, and aviation fields, Territory of Alaska, \$140,000, to be available until expended: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

48 Stat. 1227.  
31 U. S. C. § 725c.

The Alaska Railroad: All amounts received by the Alaska Railroad during the fiscal year 1940 shall be available, and continue available until expended, for every expenditure requisite for and incident to the authorized work of the Alaska Railroad, including maintenance, operation, and improvements of railroads in Alaska; maintenance and operation of river steamers and other boats on the Yukon River and its tributaries in Alaska; operation and maintenance of ocean-going or coastwise vessels by ownership, charter, or arrangement with other branches of the Government service, for the purpose of providing additional facilities for the transportation of freight, passengers, or mail, when deemed necessary, for the benefit and development of industries and travel affecting territory tributary to the Alaska Railroad; stores for resale; payment of claims for losses and damages arising from operations, including claims of employees of the Railroad for loss and damage resulting from wreck or accident on the railroad, not due to negligence of the claimant, limited to clothing and other necessary personal effects used in connection with his duties and not exceeding \$100 in value; payment of amounts due connecting lines; payment of compensation and expenses as authorized by section 42 of the Injury Compensation Act approved September 7, 1916 (5 U. S. C. 793), to be reimbursed as therein provided: *Provided*, That not to exceed \$6,000 of this fund shall be available for personal services in the District of Columbia during the fiscal year 1940, and no one other than the general manager of said railroad shall be paid an annual salary out of this fund of more than \$7,500: *Provided further*, That not to exceed \$10,000 of such fund shall be available for printing and binding.

Alaska Railroad.  
Payment of expenses from receipts.

Operation, etc., of boats.

Damage claims.

Compensation and expenses.  
52 Stat. 200.  
5 U. S. C., Supp. IV, § 793.  
*Provisos.*  
Services in the District.  
Salary limitation.

Printing and binding.

#### TERRITORY OF HAWAII

Salaries of the Governor and of the Secretary, \$15,800.

For contingent expenses, to be expended by the Governor for stationery, postage, and incidentals, and for traveling expenses of the Governor while absent from the capital on official business, \$2,000; private secretary to the Governor, \$3,100; temporary clerk hire, \$750; in all, \$5,850.

Governor and secretary, salaries.  
Contingent expenses.

#### GOVERNMENT OF THE VIRGIN ISLANDS

For salaries of the Governor and employees incident to the execution of the Acts of March 3, 1917 (48 U. S. C. 1391), and June 22, 1936 (48 U. S. C. 1405v), traveling expenses of officers and employees, necessary janitor service, care of Federal grounds, repair and preservation of Federal buildings and furniture, purchase of equipment, stationery, lights, water, and other necessary miscellaneous expenses, including not to exceed \$5,000 for purchase, including exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, and not to exceed \$4,000 for personal services, household equipment, and furnishings, fuel, ice, and electricity necessary in the operation of Government House at Saint Thomas and Government House at Saint Croix, \$127,250.

For salaries and expenses of the agricultural experiment station and the vocational school in the Virgin Islands, including technical personnel, clerks, and other persons; scientific investigations of plants and plant industries, and diseases of animals; demonstrations in practical farming; official traveling expenses; fixtures, apparatus, and supplies; clearing and fencing of land; and other necessary expenses, including not to exceed \$2,000 for purchase, including exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, \$38,000.

Governor, and other personal services.  
39 Stat. 1132.  
48 U. S. C. § 1391.  
49 Stat. 1813.  
48 U. S. C., Supp. IV, § 1405v.  
Miscellaneous expenses.

Agricultural experiment station and vocational school.  
Salaries and expenses.



Deficits of municipal government of Saint Croix.  
*Post*, p. 1318.

For defraying the deficit in the treasury of the municipal government of Saint Croix because of the excess of current expenses over current revenues for the fiscal year 1940, \$30,000, to be paid to the said treasury in monthly installments.

#### PUERTO RICAN HURRICANE RELIEF

Administrative expenses.

45 Stat. 1067; 46 Stat. 57.  
Loan adjustments.  
49 Stat. 926, 928.

Use of unexpended balances.

To enable the Division of Territories and Island Possessions to continue collection and administration of moneys due the United States on account of loans made under the joint resolutions approved December 21, 1928 (45 Stat. 1067), and January 22, 1930 (46 Stat. 57), and to make compositions and adjustments in any loan heretofore made, as authorized by Public Resolutions Numbered 59 (49 Stat. 926) and 60 (49 Stat. 928), Seventy-fourth Congress, approved August 27, 1935, not to exceed \$20,000 of any unobligated balances of appropriations made by authority of those joint resolutions, including repayment of principal and payments of interest on such loans, is hereby made available for administrative expenses during the fiscal year 1940.

#### EQUATORIAL AND SOUTH SEA ISLANDS

Administrative expenses.

Contracts.

R. S. § 3709.  
41 U. S. C. § 5.

For administrative expenses of the Division of Territories and Island Possessions, in carrying out the provisions of Executive Orders Numbered 7368 and 7828, approved May 13, 1936, and March 3, 1938, respectively, relating to certain islands of the United States situate in the Pacific Ocean, including personal services outside the District of Columbia (such employment to be by contract, if deemed necessary, without regard to the provisions of section 3709 of the Revised Statutes), rent, traveling expenses, purchase of necessary books, documents, newspapers and periodicals, stationery, hire of automobiles, purchase of equipment, supplies and provisions, and all other necessary expenses, \$40,000.

#### SAINT ELIZABETHS HOSPITAL

Maintenance, etc.

Insane citizens in Canada.

Vehicles.

Buildings and grounds.

For support, clothing, and treatment in Saint Elizabeths Hospital for the Insane of insane persons from the Army, Navy, Marine Corps, and Coast Guard, insane inmates of the National Home for Disabled Volunteer Soldiers, persons charged with or convicted of crimes against the United States who are insane, all persons who have become insane since their entry into the military and naval services of the United States, insane civilians in the quartermaster service of the Army, insane persons transferred from the Canal Zone who have been admitted to the hospital and who are indigent, American citizens legally adjudged insane in the Dominion of Canada whose legal residence in one of the States, Territories, or the District of Columbia it has been impossible to establish, insane beneficiaries of the United States Employees' Compensation Commission, insane beneficiaries of the United States Veterans' Administration, and insane Indian beneficiaries of the Bureau of Indian Affairs, including not exceeding \$27,000 for the purchase (including one at not to exceed \$1,200), exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles for the use of the superintendent, purchasing agent, and general hospital business, and including not to exceed \$185,000 for repairs and improvements to buildings and grounds, \$1,227,280, including cooperation with organizations or individuals in scientific research into the nature, causes, prevention, and treatment of mental illness, and including maintenance and operation of necessary facilities for feed-

ing employees and others (at not less than cost), and the proceeds therefrom shall reimburse the appropriation for the institution; and not exceeding \$1,500 of this sum may be expended in the removal of patients to their friends; not exceeding \$1,000 for expenses of attendance at meetings or conventions concerned with the work of psychiatry, medicine, and other scientific subjects of interest to Saint Elizabeths Hospital, when specifically authorized by the Secretary of the Interior; not exceeding \$1,500 in the purchase of such books, periodicals, and newspapers as may be required for the purposes of the hospital and for the medical library, and not exceeding \$1,500 for the actual and necessary expenses incurred in the apprehension and return to the hospital of escaped patients: *Provided*, That so much of this sum as may be required shall be available for all necessary expenses in ascertaining the residence of inmates who are not or who cease to be properly chargeable to Federal maintenance in the institution and in returning them to such places of residence: *Provided further*, That not exceeding \$200 additional may be paid to two employees to provide mail facilities for patients in the hospital: *Provided further*, That no part of this appropriation shall be expended for the purchase of oleomargarine or butter substitutes except for cooking purposes: *Provided further*, That during the fiscal year 1940 the District of Columbia, or any branch of the Government requiring Saint Elizabeths Hospital to care for patients for which they are responsible, shall pay by check to the Superintendent, upon his written request, either in advance or at the end of each month, all or part of the estimated or actual cost of such maintenance, as the case may be, and bills rendered by the Superintendent of Saint Elizabeths Hospital in accordance herewith shall not be subject to audit or certification in advance of payment; proper adjustments on the basis of the actual cost of the care of patients paid for in advance shall be made monthly or quarterly, as may be agreed upon between the Superintendent of Saint Elizabeths Hospital and the District of Columbia government, department, or establishments concerned. All sums paid to the Superintendent of Saint Elizabeths Hospital for the care of patients that he is authorized by law to receive shall be deposited to the credit on the books of the Treasury Department of the appropriation made for the care and maintenance of the patients at Saint Elizabeths Hospital for the year in which the support, clothing, and treatment is provided, and be subject to requisition upon the approval of the Secretary of the Interior.

Removal of patients  
to their friends.

*Provisos.*  
Return of inmates  
no longer Federal  
charges.

Mail facilities.

Butter substitutes,  
restriction.

Payment for care of  
patients from the Dis-  
trict, etc.

Credit of payments.

## COLUMBIA INSTITUTION FOR THE DEAF

For support of the institution, including salaries and incidental expenses, books and illustrative apparatus, and general repairs and improvements, and including not to exceed \$11,000 for improvement to the power, heating, and lighting system, \$150,950.

Maintenance, etc.

## HOWARD UNIVERSITY

Salaries: For payment in full or in part of the salaries of the officers, professors, teachers, and other regular employees of the university, the balance to be paid from privately contributed funds, \$557,000;

Salaries.

General expenses: For equipment, supplies, apparatus, furniture, cases and shelving, stationery, ice, repairs to buildings and grounds, and for other necessary expenses, \$188,000;

General expenses.

Total, Howard University, \$745,000.

## FREEDMEN'S HOSPITAL

Salaries, etc.

Contingent expenses.

Division of expenses.

Field work appropriations available for hire of work animals, etc.

Pick-up trucks. Appropriations available for purchase, operation, repair, etc.

Executive departments, etc. Long-distance telephone tolls; use of appropriations restricted.

Short title.

For officers and employees and compensation for all other professional and other services that may be required and expressly approved by the Secretary of the Interior, \$318,640; for subsistence, fuel and light, not exceeding \$1,000 for expenses of attendance upon meetings of a technical nature, pertaining to hospital administration and medical advancement, when authorized by the Secretary of the Interior, clothing, to include white duck suits and white canvas shoes for the use of internes, and cotton or duck uniforms or aprons for cooks, maids, and attendants, and rubber surgical gloves, bedding, forage, medicine, medical and surgical supplies, surgical instruments, electric lights, repairs, replacement of X-ray apparatus, furniture; purchase, maintenance, and operation of passenger-carrying vehicles, including not exceeding \$500 for the purchase of books, periodicals, and newspapers; and not to exceed \$2,000 for the special instruction of pupil nurses, and other absolutely necessary expenses, \$166,200; in all, for Freedmen's Hospital, \$484,840, including reimbursement to the appropriation for Howard University of actual cost of heat and light furnished, of which amount of \$484,840 one-half shall be chargeable to the District of Columbia and paid in like manner as other appropriations of the District of Columbia are paid.

SEC. 2. Appropriations herein made for field work shall be available for the hire, with or without personal services, of work animals and animal-drawn and motor-propelled vehicles and equipment.

SEC. 3. Appropriations herein made shall be available for the purchase, maintenance, operation, and repair of vehicles generally known as quarter-ton or half-ton pick-up trucks without such trucks being considered as passenger-carrying vehicles and without the cost of purchase, maintenance, operation, and repair being included in the limitation in the various appropriation items for the purchase, maintenance, operation, and repair of motor-driven passenger-carrying vehicles.

SEC. 4. That hereafter no part of this or any other appropriation for any executive department, establishment, or agency shall be used for the payment of long-distance telephone tolls except for the transaction of public business which the interests of the Government require to be so transacted; and all such payments shall be supported by a certificate by the head of the department, establishment, or agency concerned, or such subordinates as he may specially designate, to the effect that the use of the telephone in such instances was necessary in the interest of the Government.

SEC. 5. This Act may be cited as the "Interior Department Appropriation Act, 1940".

Approved, May 10, 1939.

## [CHAPTER 121]

## AN ACT

To amend section 78 of the Judicial Code, relating to the district of Idaho.

May 11, 1939  
[S. 752]  
[Public, No. 69]

Judicial Code,  
amendment.  
36 Stat. 1109.  
28 U. S. C. § 151.

Idaho judicial district.

Northern division.

Central division.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 78 of the Judicial Code (36 Stat. 1109; U. S. C., title 28, sec. 151) be amended so as to read as follows:

"That the State of Idaho shall constitute one judicial district to be known as the district of Idaho. It is divided into four divisions, to be known as the northern, central, southern, and eastern divisions. The territory embraced on the 1st day of February 1938, in the counties of Benewah, Bonner, Boundary, Kootenai, and Shoshone, shall constitute the northern division of said district; and the terri-

tory embraced on the date last mentioned in the counties of Clearwater, Idaho, Latah, Lewis, and Nez Perce shall constitute the central division of said district; and the territory embraced on the date last mentioned in the counties of Ada, Adams, Blaine, Boise, Camas, Canyon, Cassia, Elmore, Gem, Gooding, Jerome, Lincoln, Minidoka, Owyhee, Payette, Twin Falls, Valley, and Washington shall constitute the southern division of said district; and the territory embraced on the date last mentioned in the counties of Bannock, Bear Lake, Bingham, Bonneville, Butte, Caribou, Clark, Custer, Franklin, Fremont, Jefferson, Lemhi, Madison, Oneida, Power, and Teton shall constitute the eastern division of said district. Terms of the district court for the northern division of said district shall be held at Coeur d'Alene City on the fourth Monday in May and the third Monday in November; for the central division, at Moscow on the second Monday in May and the first Monday in November; for the southern division, at Boise City on the first Monday in February and the first Tuesday in September; and for the eastern division at Pocatello on the second Mondays in March and October. The clerk of the court shall maintain an office in charge of himself or a deputy at Coeur d'Alene City, at Moscow, at Boise City, and at Pocatello, which shall be open at all times for the transaction of the business of the court."

SEC. 2. That in the event the Legislature of the State of Idaho should hereafter at any time change the description or name of any of the counties embraced in the divisions hereinbefore referred to, then the District Court of the United States for the District of Idaho may by rule or order make such changes in the description or names of the counties in the said divisions to conform with any Act of the Legislature of the State of Idaho.

Approved, May 11, 1939.

Southern division.

Eastern division.

Terms of district court.  
Northern division.

Central division.

Southern division.

Eastern division.

Clerk's offices.

Change in name of any county permitted to conform with any Act of Legislature.

#### [CHAPTER 122]

##### AN ACT

To authorize the Secretary of War to exchange obsolete, unsuitable, and unserviceable machines and tools pertaining to the manufacture or repair of ordnance matériel for new machines and tools.

May 11, 1939  
[H. R. 3587]

[Public, No. 70]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized to exchange obsolete, unsuitable, and unserviceable machines and tools, and parts thereof, pertaining to the manufacture or repair of ordnance matériel for use in the national defense, for new machines and tools of the same or equivalent general character.

Approved, May 11, 1939.

War Department.  
Exchange of certain obsolete, etc., machines and tools for new.

#### [CHAPTER 123]

##### JOINT RESOLUTION

Designating August 19 of each year as National Aviation Day.

May 11, 1939  
[S. J. Res. 111]

[Pub. Res., No. 14]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States is authorized to designate August 19 of each year as National Aviation Day, and to issue a proclamation calling upon officials of the Government to display the flag of the United States on all Government buildings on that day, and inviting the people of the United States to observe the day with appropriate exercises to further and stimulate interest in aviation in the United States.

Approved, May 11, 1939.

National Aviation Day.  
President authorized to designate August 19 of each year as.

Observance invited.

## [CHAPTER 126]

## AN ACT

May 12, 1939  
[H. R. 3811]  
[Public, No. 71]

To provide for the appraisal of the pneumatic mail tube systems in New York and Boston.

Pneumatic mail  
tube systems, New  
York and Boston,  
appraisal authorized.

Appropriation au-  
thorized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Postmaster General is authorized and directed to provide for an appraisal by competent engineers of the properties comprising the pneumatic mail tube systems in New York and Boston and the franchises enjoyed and patent rights utilized in connection therewith.

SEC. 2. There is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sum as may be necessary to carry out this Act, but not to exceed \$25,000.

Approved, May 12, 1939.

## [CHAPTER 127]

## AN ACT

May 12, 1939  
[H. R. 4087]  
[Public, No. 72]

To amend an Act entitled "An Act for making further and more effectual provision for the national defense, and for other purposes", approved June 3, 1916, as amended by the Act of June 4, 1920, so as to confer on the commanding general, General Headquarters Air Force, the same retirement privileges now enjoyed by chiefs of branches.

Army.  
Commanding gen-  
eral, G. H. Q. Air  
Force, retirement  
privileges.  
41 Stat. 762.  
10 U. S. C. § 1026.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act entitled "An Act for making further and more effectual provision for the national defense, and for other purposes", approved June 3, 1916, as amended by the Act of June 4, 1920 (41 Stat. 762), be, and the same is hereby, amended by inserting immediately after the word "branch", in line 27 of section 4c of that Act, as amended, the words "or as commanding general of the General Headquarters Air Force", and by inserting in line 29 of said section, immediately preceding the word "grade", the word "highest", and immediately after the word "chief", the words "or commanding general of the General Headquarters Air Force".

Approved, May 12, 1939.

## [CHAPTER 128]

## AN ACT

May 12, 1939  
[H. R. 4772]  
[Public, No. 73]

To provide time credits for substitutes in the pneumatic-tube service.

Postal Service.

43 Stat. 1064; 45  
Stat. 1016; 50 Stat. 650.  
39 U. S. C. § 104;  
Supp. IV, § 104.

Substitutes, time  
credits allowed; pneu-  
matic-tube service in-  
cluded.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the last paragraph of section 11 of the Act entitled "An Act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes", approved February 28, 1925, as amended, is amended to read as follows:

"Substitute clerks, substitute garagemen-drivers, substitute driver-mechanics, and substitute general mechanics, when appointed regular clerks, garagemen-drivers, driver-mechanics, or general mechanics in the motor-vehicle service, and substitutes in the pneumatic-tube service when appointed as regular employees in the pneumatic-tube service, shall be given credit for the actual time served as a substitute on the basis of one year for each three hundred and six days of eight hours, and shall be appointed to the grade to which such clerk, garageman-driver, driver-mechanic, general mechanic, or employee in

the pneumatic-tube service, would have progressed had his original appointment as a substitute been made to grade one. Substitute service shall be computed from the date of original appointment as a regular classified substitute, and the salaries of the employees shall be fixed accordingly upon the date of their advancement to a regular position under section 116 of this title. Any fractional part of a year's substitute service, rendered after the enactment of this sentence, shall be included with his service as a regular clerk, garageman-driver, driver-mechanic, or general mechanic in the motor-vehicle service, or employee in the pneumatic-tube service, in determining eligibility for promotion to the next higher grade following appointment to a regular position."

Approved, May 12, 1939.

Computation.

[CHAPTER 129]

AN ACT

To provide a differential in pay for night work to pneumatic-tube-system employees in the Postal Service.

May 12, 1939

[H. R. 4785]

[Public, No. 74]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act entitled "An Act to provide a differential in pay for night work in the Postal Service", enacted May 24, 1928 (U. S. C., 1934 edition, title 39, sec. 828), is amended by striking out the words "motor-vehicle service" and inserting in lieu thereof the following: "motor-vehicle and pneumatic-tube services".

Approved, May 12, 1939.

Postal Service.  
Differential in pay  
for night work, in-  
clusion of pneumatic-  
tube-system em-  
ployees.  
45 Stat. 725.  
39 U. S. C. § 828.

[CHAPTER 130]

AN ACT

To extend the provisions of the forty-hour law to pneumatic-tube-system employees in the Postal Service

May 12, 1939

[H. R. 4786]

[Public, No. 75]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the first section of the Act entitled "An Act to fix the hours of duty of postal employees, and for other purposes", approved August 14, 1935, as amended, is further amended by striking out the words "motor-vehicle service" and inserting in lieu thereof the following: "motor-vehicle and pneumatic-tube services".

Approved, May 12, 1939.

Postal Service.  
Forty-hour law pro-  
visions, extension to  
pneumatic-tube-  
system employees.  
49 Stat. 650.  
39 U. S. C., Supp.  
IV, § 832.

[CHAPTER 131]

JOINT RESOLUTION

Authorizing the President to invite other nations to participate in the Sacramento Golden Empire Centennial commemorating the one-hundredth anniversary of the founding of Sacramento by Captain John A. Sutter.

May 12, 1939

[H. J. Res. 221]

[Pub. Res., No. 15]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States is authorized to invite by proclamation, or in such manner as he may deem proper, foreign nations to participate in the Sacramento Golden Empire Centennial to be held at Sacramento, California, from May 1, 1939, to September 10, 1939, inclusive, for the purpose of properly commemorating and observing the one-hundredth anniversary of the arrival in California, at the confluence of the American and Sacramento Rivers, of John Augustus Sutter, a Swiss adventurer, and the founding by him, through the estab-

Sacramento Golden  
Empire Centennial.  
President requested  
to invite participation  
by foreign nations.

lishment of Sutter's Fort, of what is today California's capital city of Sacramento, which establishment and the subsequent development of the region adjacent resulted in the discovery of gold at Coloma, California.

No Federal obligation.

SEC. 2. The Government of the United States is not by this resolution obligated to any expense in connection with the holding of such exposition.

Approved, May 12, 1939.

[CHAPTER 133]

AN ACT

To amend the statutes providing punishment for transmitting threatening communications.

May 15, 1939  
[H. R. 3230]  
[Public, No. 76]

Postal Service.

47 Stat. 649; 49 Stat. 427.  
18 U. S. C. §§ 338a, 338b; Supp. IV, § 338a.

Deposit, etc., of certain threatening communications in mails.

Penalty.

Threat to kidnap, etc.

Penalty.

Extortion messages.

Penalty.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That sections 1 and 2 of the Act of July 8, 1932 (47 Stat. 649), as amended (U. S. C., title 18, secs. 338a and 338b), be, and the same are hereby, further amended to read as follows:

"SECTION 1. (a) Whoever shall knowingly deposit or cause to be deposited in any post office or station thereof, or in any authorized depository for mail matter, to be sent or delivered by the Post Office Establishment of the United States, or shall knowingly cause to be delivered by the Post Office Establishment of the United States according to the direction thereon, any written or printed letter or other communication, with or without a name or designating mark subscribed thereto, addressed to any other person, and containing any demand or request for ransom or reward for the release of any kidnaped person; or whoever, with intent to extort from any person any money or other thing of value, shall deposit, cause to be deposited, or cause to be delivered, as aforesaid, any letter or other communication containing any threat to kidnap any person or any threat to injure the person of the addressee or of another, shall be fined not more than \$5,000 or imprisoned not more than twenty years, or both.

"(b) Whoever shall knowingly deposit or cause to be deposited in any post office or station thereof, or in any authorized depository for mail matter, to be sent or delivered by the Post Office Establishment of the United States, or shall knowingly cause to be delivered by the Post Office Establishment of the United States according to the direction thereon, any written or printed letter or other communication with or without a name or designating mark subscribed thereto, addressed to any other person and containing any threat to kidnap any person or any threat to injure the person of the addressee or of another shall be fined not more than \$1,000, or imprisoned not more than five years, or both.

"(c) Whoever, with intent to extort from any person any money or other thing of value, shall knowingly deposit or cause to be deposited in any post office or station thereof, or in any authorized depository for mail matter, to be sent or delivered by the Post Office Establishment of the United States, or shall knowingly cause to be delivered by the Post Office Establishment of the United States according to the direction thereon, any written or printed letter or other communication, with or without a name or designating mark subscribed thereto, addressed to any other person and containing any threat to injure the property or reputation of the addressee or of another, or the reputation of a deceased person, or any threat to accuse the addressee or any other person of a crime shall be fined not more than \$500, or imprisoned not more than two years, or both.

“(d) Any person violating this section may be prosecuted in the judicial district in which such letter or other communication is deposited in such post office, station, or authorized depository for mail matter, or in the judicial district into which such letter or other communication was carried by the United States mail for delivery according to the direction thereon: *Provided*, That any defendant in an indictment hereunder, relating to communications originating in the United States, shall, upon motion duly made, be entitled as a matter of right to be tried in the district court of the United States in which the matter mailed or otherwise transmitted was first set in motion; that is, in the mails or in commerce between the States.

“SEC. 2. (a) Whoever shall knowingly deposit or cause to be deposited in any post office or station thereof, or in any authorized depository for mail matter, of any foreign country any written or printed letter or other communication addressed to any person within the United States, for the purpose of having such communication delivered by the Post Office Establishment of such foreign country to the Post Office Establishment of the United States and by it delivered to such addressee in the United States, and as a result thereof such communication is delivered by the Post Office Establishment of such foreign country to the Post Office Establishment of the United States and by it delivered to the address to which it is directed in the United States, and containing any demand or request for ransom or reward for the release of any kidnaped person; or whoever, with intent to extort from any person any money or other thing of value, shall deposit or cause to be deposited, as aforesaid, any letter or other communication for the purpose aforesaid, containing any threat to kidnap any person or any threat to injure the person of the addressee or of another, shall be fined not more than \$5,000 or imprisoned not more than twenty years, or both.

“(b) Whoever shall knowingly deposit or cause to be deposited in any post office or station thereof, or in any authorized depository for mail matter, of any foreign country any written or printed letter or other communication addressed to any person within the United States, for the purpose of having such communication delivered by the Post Office Establishment of such foreign country to the Post Office Establishment of the United States and by it delivered to such addressee in the United States, and as a result thereof such communication is delivered by the Post Office Establishment of such foreign country to the Post Office Establishment of the United States and by it delivered to the address to which it is directed in the United States, and containing any threat to kidnap any person or any threat to injure the person of the addressee or of another, shall be fined not more than \$1,000 or imprisoned not more than five years, or both.

“(c) Whoever, with intent to extort from any person any money or other thing of value, shall knowingly deposit or cause to be deposited in any post office or station thereof, or in any authorized depository for mail matter, of any foreign country any written or printed letter or other communication, addressed to any person within the United States for the purpose of having such communication delivered by the Post Office Establishment of such foreign country to the Post Office Establishment of the United States and by it delivered to such addressee in the United States, and as a result thereof such communication is delivered by the Post Office Establishment of such foreign country to the Post Office Establishment of the United States and by it delivered to the address to which it is directed in the United States, and containing any threat to injure the property or reputation of the addressee or of another, or the reputation of a deceased person, or any threat to accuse the addressee or any other

Prosecution.

Proviso.  
Venue.

Deposit of threatening communications in foreign post office, etc., addressed to person in U. S.

Containing demand for ransom, etc.

Penalty.

Containing threat to kidnap, etc.

Penalty.

Extortion messages.



Penalty.	person of a crime, shall be fined not more than \$500 or imprisoned not more than two years, or both.
Prosecution.	"(d) Any person violating this section may be prosecuted either in the district into which such letter or other communication was carried by the United States mail for delivery according to the direction thereon, or in which it was caused to be delivered by the United States mail to the person to whom it was addressed: <i>Provided</i> , That any defendant in an indictment hereunder, relating to communications originating in the United States, shall, upon motion duly made, be entitled as a matter of right to be tried in the district court of the United States in which the matter mailed or otherwise transmitted was set first in motion; that is, in the mails or in commerce between the States."
<i>Proviso.</i> Venue.	Sec. 2. That the Act of May 18, 1934 (48 Stat. 781; U. S. C., title 18, sec. 408d), be, and the same is hereby, amended to read as follows: "(a) Whoever shall transmit in interstate commerce, by any means whatsoever, any communication containing any demand or request for a ransom or reward for the release of any kidnaped person; or whoever, with intent to extort from any person, firm, association, or corporation, any money or other thing of value, shall transmit, as aforesaid, any communication containing any threat to kidnap any person or any threat to injure the person of another shall be fined not more than \$5,000 or imprisoned not more than twenty years, or both. "(b) Whoever shall transmit in interstate commerce by any means whatsoever any communication containing any threat to kidnap any person or any threat to injure the person of another shall be fined not more than \$1,000 or imprisoned not more than five years, or both. "(c) Whoever, with intent to extort from any person, firm, association, or corporation, any money or other thing of value, shall transmit in interstate commerce by any means whatsoever any communication containing any threat to injure the property or reputation of the addressee or of another or the reputation of a deceased person or any threat to accuse the addressee or any other person of a crime shall be fined not more than \$500 or imprisoned not more than two years, or both. "(d) Any person violating the provisions of this section may be prosecuted in the judicial district from or into which such threat is transmitted, as aforesaid: <i>Provided</i> , That any defendant in an indictment hereunder, relating to communications originating in the United States, shall, upon motion duly made, be entitled as a matter of right to be tried in the district court of the United States in which the matter mailed or otherwise transmitted was set first in motion; that is, in the mails or in commerce between the States. The term 'interstate commerce,' as used in this section, shall include communication from one State, Territory, or the District of Columbia, to another State, Territory, or the District of Columbia."
Federal Kidnaping Act, amendments. 48 Stat. 781. 18 U. S. C. § 408d. Transmission in interstate commerce of demand for ransom for release of any kidnaped person. Threat to kidnap or injure with intent to extort.	
Penalty.	
Transmission of threats to kidnap, etc.	
Transmission of threats to injure property, etc., with intent to extort.	
Penalty.	
Prosecution.	
<i>Proviso.</i> Venue.	
"Interstate commerce", construed.	

Approved, May 15, 1939.

## [CHAPTER 134]

## AN ACT

To authorize the mailing of pistols, revolvers, and other firearms capable of being concealed on the person, to officers of the Coast Guard.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 1 of the Act entitled "An Act declaring pistols, revolvers, and other firearms capable of being concealed on the person nonmailable and

May 15, 1939  
[H. R. 3231]  
[Public, No. 77]

Firearms.  
Conveyance in the mails to Coast Guard officers, authorized.

providing penalty", approved February 8, 1927 (44 Stat. 1059; U. S. C., title 18, sec. 361), is hereby amended by inserting the words "Coast Guard," after the word "Navy," in the first proviso thereof.

Approved, May 15, 1939.

44 Stat. 1059.  
18 U. S. C. § 361.

## [CHAPTER 135]

## AN ACT

Granting postal employees credit for Saturday in annual and sick leave law, thereby conforming to the forty-hour workweek or five-day-week law.

May 15, 1939  
[H. R. 3812]  
[Public, No. 78]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That paragraph 1 of section 11 of the Act entitled "An Act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes", approved February 28, 1925 (U. S. C., title 39, 1934 edition, sec. 823), as amended, is amended to read as follows:

Postal Service.  
43 Stat. 1064; 45  
Stat. 595.  
39 U. S. C. § 823.

"Employees in the Postal Service shall be granted fifteen days' leave of absence with pay, exclusive of Saturdays, Sundays, and holidays, each fiscal year, and sick leave with pay at the rate of ten days a year, exclusive of Saturdays, Sundays, and holidays, to be cumulative, but no sick leave with pay in excess of six months shall be granted during any one fiscal year. Sick leave shall be granted only upon satisfactory evidence of illness in accordance with the regulations to be prescribed by the Postmaster General: *Provided*, That the fifteen days' leave shall be credited at the rate of one and one-quarter days for each month of actual service."

Annual leave.

Sick leave.

*Proviso.*  
Monthly credit.

SEC. 2. This Act shall become effective as of February 1, 1939.

Effective date.

Approved, May 15, 1939.

## [CHAPTER 136]

## AN ACT

Limiting working hours of pneumatic-tube-system employees to eight in ten hours a day.

May 15, 1939  
[H. R. 4771]  
[Public, No. 79]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the fifth paragraph of section 116, title 39, United States Code, is amended to read as follows:

Postal Service.  
43 Stat. 1061.  
39 U. S. C. § 116.

"Special mechanics, general mechanics, mechanics' helpers, driver-mechanics, and garagemen-drivers in the motor-vehicle service, and employees of the pneumatic-tube system, shall be required to work not more than eight hours a day. The eight hours of service shall not extend over a longer period than ten consecutive hours, and the schedules of duties of the employees shall be regulated accordingly. In cases of emergency, or if the needs of the service require, special clerks, clerks, special mechanics, general mechanics, mechanics' helpers, driver-mechanics, and garagemen-drivers in the motor-vehicle service, and employees of the pneumatic-tube system, can be required to work in excess of eight hours per day, and for such overtime service they shall be paid on the basis of the annual pay received by such employees. In computing the compensation for such overtime the annual salary or compensation for such employees shall be divided by three hundred and six (five?), the number of working days in the year less all Sundays and legal holidays enumerated in section 119 of this title; the quotient thus obtained will be the daily compensation which divided by eight will give the hourly compen-

Hours of labor.  
Limitation, etc., to  
include employees of  
pneumatic-tube sys-  
tem.

Emergency over-  
time service.

Computation of  
overtime pay.

Compensatory time for Sunday, etc., employment.

Exceptions.

*Proriso.*  
Overtime pay in lieu of compensatory time.

sation for such overtime service. When the needs of the service require the employment on Sundays and holidays of route supervisors, special clerks, clerks, dispatchers, mechanics in charge, special mechanics, general mechanics, mechanics' helpers, driver-mechanics, and garagemen-drivers in the motor-vehicle service, and employees of the pneumatic-tube system, they shall be allowed compensatory time on one day within six days next succeeding the Sunday, except the last three Sundays in the calendar year, and on one day within thirty days next succeeding the holiday and the last three Sundays in the year on which service is performed: *Provided, however,* That the Postmaster General may, if the exigencies of the service require it, authorize the payment of overtime in lieu of compensatory time for service on Sundays and holidays."

Approved, May 15, 1939.

[CHAPTER 137]

JOINT RESOLUTION

May 15, 1939  
[H. J. Res. 241]  
[Pub. Res., No. 16]

Providing for the participation of the United States in the celebration of the one hundred and fiftieth anniversary of the establishment of the United States Lighthouse Service.

Lighthouse Service, sesquicentennial.  
Lighthouse Week designated.

1 Stat. 53.

Display of flag, etc.

President requested to invite observance.

Participation by Government departments, etc.

Expenditure authorized.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the week commencing August 7, 1939, is hereby designated as Lighthouse Week in commemoration of the one hundred and fiftieth anniversary of the enactment by the first Congress of the United States of the ninth Act of said Congress, which was approved by President George Washington on August 7, 1789, and laid the foundation of the United States Lighthouse Service by providing that all expenses in the necessary support, maintenance, and repairs of all lighthouses, beacons, buoys, and public piers to render navigation safe and easy should be paid for by the Treasury of the United States. During said week all Government officials are hereby directed to display the flag of the United States on all Government buildings, and are requested in appropriate manner to celebrate the enactment and approval of said Act.

SEC. 2. That the President of the United States is hereby requested, by appropriate proclamation, to call attention of all citizens of the United States to said event and to request the cooperation of all citizens, communities, civic organizations, States, municipalities, counties, public agencies, churches, and schools in an appropriate recognition of the devoted, efficient, faithful, and splendid work of the Lighthouse Service for one hundred and fifty years in the safeguarding of life and property upon the sea.

SEC. 3. That the heads of all departments and independent establishments of the Government are requested to take such steps respectively as each of said heads may deem most appropriate to celebrate said event, to commemorate the work of the Lighthouse Service, to acquaint the public generally with the responsible, devoted, and hazardous work of the said Service, and to express the thanks and gratitude of the Nation to all employees of said Service for the fearless manner in which their work has been performed continuously from the date of the creation of said Service to the present time.

SEC. 4. That the Commissioner of Lighthouses is hereby authorized to expend, out of any moneys appropriated or allotted for the Bureau of Lighthouses, not exceeding \$2,500 for any expenses connected with ceremonies for the celebration authorized and requested by this Act, including the printing and issuance of appropriate literature, pamphlets, and programs.

Approved, May 15, 1939.

## [CHAPTER 139]

## AN ACT

Creating the Arkansas-Mississippi Bridge Commission; defining the authority, power, and duties of said Commission; and authorizing said Commission and its successors and assigns to construct, maintain, and operate a bridge across the Mississippi River at or near Friar Point, Mississippi, and Helena, Arkansas, and for other purposes.

May 17, 1939  
[S. 964]  
[Public, No. 80]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the Arkansas-Mississippi Bridge Commission (hereinafter created, and hereinafter referred to as the "Commission"), and its successors and assigns, be, and are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto, across the Mississippi River at or near the cities of Friar Point, Mississippi, and Helena, Arkansas, at a point suitable to the interest of navigation, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, subject to the conditions and limitations contained in this Act.

Mississippi River.  
Bridge authorized  
across, near Friar  
Point, Miss., and  
Helena, Ark.

SEC. 2. There is hereby conferred upon the Commission and its successors and assigns the right and power to enter upon such lands and to acquire, condemn, occupy, possess, and use such real estate and other property in the State of Arkansas and the State of Mississippi, as may be needed for the location, construction, operation, and maintenance of any such bridge and its approaches, upon making just compensation therefor, to be ascertained and paid according to the laws of the State in which such real estate or other property is situated, and the proceedings therefor shall be the same as in the condemnation of private property for public purposes in said State, respectively. The Commission, its successors, and assigns is further authorized to enter into agreements with the States of Arkansas and Mississippi, and any political subdivision thereof, for the acquisition, lease, or use of any lands or property owned by such State or political subdivision.

34 Stat. 84.  
33 U. S. C. §§ 491-  
498.

Acquisition of real  
estate, etc.

SEC. 3. The Commission and its successors and assigns are hereby authorized to fix and charge tolls for transit over such bridge in accordance with the provisions of this Act, subject to the approval of the Secretary of War, as provided by the Act of Congress approved March 23, 1906.

Agreements author-  
ized.

Tolls authorized.

SEC. 4. The Commission and its successors and assigns are hereby authorized to provide for the payment of the cost of such bridge as may be constructed, as provided herein, and approaches (including the approach highways which, in the judgment of the Commission, it is necessary or advisable to construct or cause to be constructed to provide suitable and adequate connection with existing improved highways) and the necessary lands, easements, and appurtenances thereto, by an issue or issues of negotiable bonds of the Commission, bearing interest at the rate or rates of not more than 6 per centum per annum, the principal and interest of which bonds, and any premium to be paid for retirement thereof before maturity, shall be payable solely from the sinking fund provided in accordance with this Act, and such payments may be further secured by a mortgage of the bridge. All such bonds may be registrable as to principal alone, or both principal and interest, shall be in such form not inconsistent with this Act, shall mature at such time or times not exceeding twenty-five years from their respective dates, shall be in such denominations, shall be executed in such manner, and shall be payable in such medium and at such place or places, as the Commission may deter-

Bond issue to pro-  
vide for payment of  
cost.

Interest, maturity,  
etc.

Repurchase and redemption.

*Proviso.*  
Maturity of refunding bonds.

Trust agreement authorized.

Protection of rights, etc., of trustee and bondholders.

Bond sale.

Items included in cost.

Disposition of excess, if proceeds of bond issue exceed cost.

Issuance of temporary bonds.

Application of tolls to maintenance, sinking fund, etc.

Residue to be placed in sinking fund.

mine. The Commission may repurchase and may reserve the right to redeem all or any of said bonds before maturity in such manner and at such price or prices, not exceeding 105 and accrued interest, as may be fixed by the Commission prior to the issuance of the bonds. The Commission, when it deems it to be to the best interest of the Commission, may issue refunding bonds to repurchase and redeem any outstanding bonds before the maturity thereof: *Provided*, That the refunding bonds shall mature at such time or times, not exceeding forty years from the date of approval of this Act, as the Commission may determine. The Commission may enter into any agreement with any bank or trust company in the United States as trustee having the power to make such agreement, setting forth the duties of the Commission in respect to the purchase, construction, maintenance, operation, repair, and insurance of the bridge, the conservation and application of all funds, the security for payment of the bonds, the safeguarding of money on hand or on deposit, and the rights and remedies of said trustee and the holders of the bonds, restricting the individual right of action of the bondholders as is customary in trust agreements respecting bonds of corporations. Such trust agreement may contain such provisions for protecting and enforcing the rights and remedies of the trustee and the bondholders as may be reasonable and proper and not inconsistent with the law.

Said bonds shall be sold in such manner and at such time or times and at such price as the Commission may determine, but no such sale shall be made at a price so low as to require the payment of interest at the rate of more than 6 per centum per annum on the money received therefor, computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values, and the face amount thereof shall be so calculated as to produce, at the price of their sale, the cost of the bridge constructed, and approaches and the lands, easements, and appurtenances, used in connection therewith when added to any other funds made available to the Commission for the use of said purposes. The cost of the bridge to be constructed as provided herein, together with approaches and approach highways, shall be deemed to include interest during construction of said bridge, and for twelve months thereafter, and all engineering, legal, architectural, traffic surveying, and other expense incident to the construction of the bridge and the acquisition of the necessary property, incident to the financing thereof, including cost of acquiring lands. If the proceeds of the bonds issued shall exceed the cost as finally determined, the excess shall be placed in the sinking fund hereinafter provided. Prior to the preparation of definite bonds the Commission may, under like restrictions, issue temporary bonds or interim certificates, with or without coupons, of any denomination whatsoever, exchangeable for definite bonds when such bonds that have been executed are available for delivery.

SEC. 5. In fixing the rates of toll to be charged for the use of such bridge, in accordance with the Act of Congress approved March 23, 1906, the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and approaches under economical management, and to provide a sinking fund sufficient to pay the principal and interest of such bonds as the same shall fall due, and the redemption or repurchase price of all or any thereof redeemed or repurchased before maturity as herein provided. All tolls and other revenues from said bridge are hereby pledged to such uses and to the application thereof as hereinafter in this section required. After payment or provision for payment therefrom of all such cost of maintaining, repairing,

and operating, and the reservation of an amount of money estimated to be sufficient for the same purpose during an ensuing period of not more than six months, the remainder of tolls collected shall be placed in the sinking fund, at intervals to be determined by the Commission prior to the issuance of the bonds. An accurate record of the cost of the bridge and approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested. The Commission shall classify in a reasonable way all traffic over the bridge so that the tolls shall be so fixed and adjusted by it as to be uniform in the application thereof to all traffic falling within reasonable classes, regardless of the status or character of any person, firm, or corporation participating in such traffic, and shall prevent all use of such bridge for traffic except upon payment of tolls so fixed and adjusted.

Record of expenditures and receipts.

Classification of traffic.

Within a reasonable time after the construction of the bridge the Commission shall file with the Bureau of Public Roads of the United States Department of Agriculture a sworn itemized statement, showing the cost of constructing the bridge and its approaches, the cost of acquiring any interest in real or other property necessary therefor, and the amount of bonds, debentures, or other evidence of indebtedness issued in connection with the construction of said bridge.

Sworn itemized statement of costs, etc., to be filed.

SEC. 6. After payment of the bonds and interest, or after a sinking fund sufficient for such payment shall have been provided and shall be held for that purpose, the Commission shall deliver deeds or other suitable instruments of conveyance of the interest of the Commission in and to the bridge extending between the State of Arkansas and the State of Mississippi, that part of said bridge within Arkansas to the State of Arkansas, or any municipality or agency thereof as may be authorized by or pursuant to law to accept the same (hereafter referred to as the "Arkansas interest") and that part of said bridge within Mississippi to the State of Mississippi, or any municipality or agency thereof as may be authorized by or pursuant to law to accept the same (hereinafter referred to as the "Mississippi interest"), under the condition that the bridge shall thereafter be free of tolls and be properly maintained, operated, and repaired, by the Arkansas interest and the Mississippi interest as may be agreed upon; but if the Arkansas interest or the Mississippi interest, or any other interest hereinabove mentioned, shall not be authorized to accept or shall not accept the same under such conditions, then the bridge shall continue to be owned, maintained, operated, and repaired by the Commission, and the rates of tolls shall be so adjusted as to provide a fund of not to exceed the amount necessary for the maintenance, repair, and operation of the bridge and approaches under economical management, until such time as the Arkansas interest and the Mississippi interest, or any other interest hereinabove mentioned, shall be authorized to accept and shall accept such conveyance under such conditions.

Conveyance of interests after payment of bonds, etc.

Operation by Commission if either interest fails to accept.

Notwithstanding any restriction or limitation imposed by the Act entitled "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes", approved July 11, 1916, or by the Federal Highway Act, or by an Act amendatory of, or supplemental to either thereof, the Secretary of Agriculture, or any other Federal Department or agency of the United States Government may extend Federal aid under such Acts for the construction of said bridge out of any money allocated to the State of Arkansas with the consent of the State Highway Commission of said State, and out of money allocated to the State of Mississippi with the consent of the Highway Department of said State.

Federal aid.

39 Stat. 355; 42 Stat. 212.  
23 U. S. C. ch. 1;  
Supp. IV, ch. 1.

Arkansas-Mississippi Bridge Commission.  
Creation, corporate powers, etc.

SEC. 7. For the purpose of carrying into effect the objects stated in this Act, there is hereby created the Arkansas-Mississippi Bridge Commission, and by that name, style, and title said body shall have perpetual succession, may contract, and be contracted with, sue and be sued, implead and be impleaded, complain and defend in all courts of law and equity; may make and have a common seal; may purchase or otherwise acquire and hold or dispose of real estate and other property; may accept and receive donations or gifts of money or property and apply the same to the purposes of this Act; and shall have and possess all powers necessary, convenient, or proper for carrying into effect the objects stated in this Act.

Membership.

The Commission shall consist of six members to be appointed by the Secretary of Agriculture, three of whom are to be residents and citizens of the State of Mississippi and the other three to be residents and citizens of the State of Arkansas. Such Commission shall be a public body corporate and politic. Each member of the Commission shall qualify within thirty days after his appointment by filing in the office of the Secretary of Agriculture an oath that he will faithfully perform the duties imposed upon him by this Act, and each person appointed to fill a vacancy shall file in like manner within thirty days after his appointment. Any vacancy occurring in said Commission by reason of failure to qualify as above provided, or by reason of death or resignation, shall be filled by the Secretary of Agriculture, and in filling such vacancy the Secretary of Agriculture shall at all times make the appointment so that the respective States shall at all times have equal representation on said Commission. Before the issuance of bonds, as hereinabove provided, each member of the Commission shall give such bond as may be fixed by the Chief of the Bureau of Public Roads of the Department of Agriculture, conditioned upon the faithful performance of all duties required by this Act. The cost of such surety prior to and during the construction of the bridge shall be paid or reimbursed from the bond proceeds and thereafter such cost shall be deemed an operating expense. The Commission shall elect a chairman and vice chairman from its members, and shall establish rules and regulations for the government of its own business. A majority of the members shall constitute a quorum for the transaction of business.

Organization; rules, quorum, etc.

Capital stock, etc., restriction.

Compensation, allowances, etc.

SEC. 8. The Commission shall have no capital stock or shares of interest or participation, and all revenues and receipts thereof shall be applied to the purposes specified in this Act. The members of the Commission shall be entitled to a per diem compensation for their services of \$10 for each day actually spent in the business of the Commission but the maximum compensation of the chairman in any year shall not exceed \$1,200, and of each other member shall not exceed \$600. The members of the Commission shall also be entitled to receive traveling-expense allowance of 10 cents a mile for each mile actually traveled on the business of the Commission. The Commission may employ a secretary, treasurer, engineers, attorneys, and such other experts, assistants, and employees as they may deem necessary, who shall be entitled to receive such compensation as the Commission may determine. All salaries and expenses shall be paid solely from the funds provided under the authority of this Act. After all bonds and interest thereon shall have been paid and all other obligations of the Commission paid or discharged, or provision for all such payment shall have been made as hereinbefore provided, and after the bridge shall have been conveyed to the Arkansas interest and the Mississippi interest, as herein provided, or otherwise disposed of, as provided herein, the Commission shall be dissolved and shall cease to have further existence by an order of the Chief of the Bureau

Employees.

Dissolution of Commission.

of Public Roads, made upon his own initiative or upon application of the Commission or any member or members thereof, but only after a public hearing in the city of Helena, Arkansas, notice of time and place of which hearing and the purpose thereof shall have been published once, at least thirty days before the date thereof, in a newspaper published in the cities of Helena, Arkansas, and Clarksdale, Mississippi. At the time of such dissolution all moneys in the hands of or to the credit of the Commission shall be divided and distribution made between the interests of the States as may be determined by the Chief of the Bureau of Public Roads of the United States.

SEC. 9. Notwithstanding any of the provisions of this Act, the Commission shall have full power and authority to negotiate and enter into a contract or contracts with the State Highway Commission of Arkansas, and the State Highway Commission of Mississippi, the cities of Helena, Arkansas, and Clarksdale, Mississippi, or any county or municipality in the State of Arkansas and State of Mississippi, whereby the Commission may receive financial aid in the construction or maintenance of the bridge and approaches thereto, and said Commission, in its discretion, may avail itself of all of the facilities of the State Highway Commission of the State of Arkansas and the State of Mississippi with regard to the construction of said bridge, and the Commission may make and enter into any contract or contracts which it deems expedient and proper with the State Highway Commissions of Arkansas and Mississippi, whereby said highway departments, or either of them, may construct, operate, and maintain, or participate with the Commission in the construction, operation, and maintenance of said bridge constructed hereunder, and the approaches thereto. It is hereby declared to be the purpose of Congress to facilitate the construction of a bridge and proper approaches across the Mississippi River at or near Helena, Arkansas, and Friar Point, Mississippi, and to authorize the Commission to promote said object and purpose, with full power to contract with either the State Highway Commission of Arkansas or the State Highway Commission of Mississippi, or with any agency or department of the Federal Government, or both, in relation to the construction, operation, and maintenance of said bridge and approaches.

SEC. 10. Nothing herein contained shall be construed to authorize or permit the Commission or any member thereof to create or obligate or incur any liability other than such obligations and liabilities as are dischargeable solely from funds contemplated to be provided by this Act. No obligation created or liability incurred pursuant to this Act shall be a personal obligation or liability of any member or members of the Commission but shall be chargeable solely to the funds herein provided, nor shall any indebtedness created pursuant to this Act be an indebtedness of the United States.

SEC. 11. The design and construction of any bridge which may be built pursuant to this Act shall be in accordance with the standard specifications for highway bridges adopted by the American Association of State Highway Officials.

SEC. 12. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, May 17, 1939.

Public hearing; notice.

Division of moneys.

State, etc., aid.

Contracts.

Purpose declared.

Creation of other obligations, etc., forbidden.

Design and construction.

Amendment.



## [CHAPTER 140]

## AN ACT

May 22, 1939  
[S. 198]  
[Public, No. 81]

To provide that records certified by the Court of Claims to the Supreme Court, in response to writs of certiorari, may include material portions of the evidence, and for other purposes.

Judicial Code,  
amendments.  
43 Stat. 939.  
28 U. S. C. § 288(b).

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 3, subsection b, of the Act of February 13, 1925 (43 Stat. 936, 939, c. 229; U. S. Code, title 28, sec. 288 b), be amended so as to read as follows:

Cases in Court of  
Claims.  
Review, etc., of er-  
rors assigned, by Su-  
preme Court by cer-  
tiorari upon petition  
of either party.

“(b) In any case in the Court of Claims, including those begun under section 180 of the Judicial Code, it shall be competent for the Supreme Court, upon the petition of either party, whether Government or claimant, to require, by certiorari, that the cause be certified to it for review and determination of all errors assigned, with the same power and authority, and with like effect, as if the cause had been brought there by appeal. In such event, the Court of Claims shall include in the papers certified by it the findings of fact, the conclusions of law, and the judgment or decree, as well as such other parts of the record as are material to the errors assigned, to be settled by the Court.

Inclusion of parts of  
record material to  
errors assigned.

“The Court of Claims shall promulgate rules to govern the preparation of such record in accordance with the provisions of this section.

Rules governing  
preparation of record.  
  
Jurisdiction of Su-  
preme Court.

“In such cases the Supreme Court shall have authority to review, in addition to other questions of law, errors assigned to the effect that there is a lack of substantial evidence to sustain a finding of fact; that an ultimate finding or findings are not sustained by the findings of evidentiary or primary facts; or that there is a failure to make any finding of fact on a material issue.”

Approved, May 22, 1939.

## [CHAPTER 141]

## AN ACT

May 22, 1939  
[S. 1281]  
[Public, No. 82]

To prohibit reproductions of official badges, identification cards, and other insignia.

Official insignia of  
the United States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 1 of the Act entitled “An Act to prohibit the misuse of official insignia”, approved on June 29, 1932 (47 Stat. 342; U. S. C., title 18, sec. 76a), be amended to read as follows:

47 Stat. 342.  
18 U. S. C. § 76a.

Unauthorized man-  
ufacture, sale, or pos-  
session, prohibited.

“That hereafter the manufacture, sale, or possession of any badge, identification card, or other insignia, of the design prescribed by the head of any department or independent office of the United States for use by any officer or subordinate thereof, or of any colorable imitation thereof, or the photographing, printing, or in any other manner making or executing any engraving, photograph, print, or impression in the likeness of any such badge, identification card, or other insignia, or of any colorable imitation thereof, is prohibited, except when and as authorized under such regulations as may be prescribed by the head of the department or independent office of which such insignia indicates the wearer is an officer or subordinate.”

Approved, May 22, 1939.

## [CHAPTER 142]

## AN ACT

To authorize a sale of the old Carson City (Nevada) Mint site and building notwithstanding the provisions of Joint Resolution Numbered 18 of February 23, 1865.

May 22, 1939  
[S. 2050]  
[Public, No. 83]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the old Carson City (Nevada) Mint site and building may be sold under the provisions of the Act of August 26, 1935 (49 Stat. 800; U. S. C., title 40, sec. 345b), or the Act of August 27, 1935 (49 Stat. 885; U. S. C., title 40, sec. 304a), notwithstanding Joint Resolution Numbered 18 of February 23, 1865 (13 Stat. 569), providing that said site shall be reserved from public sale and shall remain the property of the United States.

Approved, May 22, 1939.

Carson City, Nev.  
Sale of old Mint site  
and building au-  
thorized.  
49 Stat. 800, 885.  
40 U. S. C., Supp.  
IV, §§ 345b, 304a.  
13 Stat. 569.

## [CHAPTER 143]

## AN ACT

To authorize the Secretary of the Treasury to accept real estate devised to the United States by the late Lizzie Beck, of Mena, Arkansas, and for other purposes.

May 22, 1939  
[S. 2244]  
[Public, No. 84]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to accept on behalf of the United States the real estate devised to the United States by the late Lizzie Beck, of Mena, Arkansas, and to deal with the same in the manner provided by the Act of August 27, 1935 (49 Stat. 885; U. S. C., title 40, sec. 304a), or the Act of August 26, 1935 (49 Stat. 800; U. S. C., title 40, sec. 345b).

Approved, May 22, 1939.

Lizzie Beck.  
Acceptance of real  
estate devised by.

49 Stat. 885, 800.  
40 U. S. C., Supp.  
IV, §§ 304a, 345b.

## [CHAPTER 144]

## AN ACT

Relating to the disposition of funds derived from the Coos Bay Wagon Road grant lands.

May 24, 1939  
[S. 242]  
[Public, No. 85]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That beginning with the fiscal year next following the date of the passage of this Act, not to exceed 75 per centum of the receipts derived in any one year from the Coos Bay Wagon Road grant lands in Oregon and deposited in the special fund in the Treasury created by the Act of February 26, 1919 (40 Stat. 1179), and designated "The Coos Bay Wagon Road grant fund" shall be paid annually, in lieu of taxes, by the Secretary of the Treasury, upon certification by the Secretary of the Interior, to the treasurers of Coos and Douglas Counties according to the ratio that the total assessed valuation of the reconveyed Coos Bay Wagon Road grant lands, belonging to the United States, in each of said counties bears to the total assessed valuation of all said lands in those counties, to be used for the purposes mentioned in said Act: *Provided,* That until such time as the general fund of the Treasury of the United States shall have been fully reimbursed by Douglas County for expenditures which were made charges against the Coos Bay Wagon Road grant fund by section 5 of the Act of February 26, 1919, said Douglas County shall be entitled to receive only 50 per centum of the amount to which it would otherwise be

Coos Bay Wagon  
Road grant lands,  
Oreg.  
Annual payments  
to Coos and Douglas  
Counties from special  
fund.

40 Stat. 1179.  
In lieu of taxes.

Ratio.

*Proviso.*  
Reduction in  
amount to Douglas  
County.

40 Stat. 1180.

Appraisal of land and timber by committee prior to payment.

Assessment and payments.

Manner and frequency of appraisals; computation of amounts due.

Payment of expenses.

Receipts insufficient to meet payments due; additional sum from surplus.

Provisos. Maximum aggregate of payments.

Excess covered in.

Amount available for administration of designated legislation. 50 Stat. 874.

Balance covered in.

Inconsistent Acts, etc., repealed.

entitled under this Act: *Provided further*, That prior to making any payment under this authorization an appraisal of the land and timber thereon shall be made, within six months after the passage of this Act, by a committee to consist of a representative of the Secretary of the Interior, one representative for the two counties interested, and a third person satisfactory to the Secretary of the Interior and the county officials, but who shall not be an employee of the United States nor a resident of, nor a property owner in, either Coos or Douglas County. Upon appraisal thereof, the land and timber thereon shall be assessed as are other similar properties within the respective counties, and payments hereunder in lieu of taxes shall be computed by applying the same rates of taxation as are applied to privately owned property of similar character in such counties.

SEC. 2. Appraisals of the land and timber thereon shall be made, in the manner prescribed in section 1 hereof, not less frequently than once in each ten-year period, and the amounts due hereunder in any year shall be computed as specified in section 1 of this Act upon the basis of the last appraisal. The expenses of making the appraisements provided for in this Act shall be paid by the Secretary of the Treasury upon certification by the Secretary of the Interior, from that portion of the receipts derived from such lands and timber payable to the counties and shall be deducted from any amount due said counties.

SEC. 3. If, during any one year, 75 per centum of the receipts are insufficient fully to meet the payments due the counties hereunder, the Secretary of the Treasury, upon certification by the Secretary of the Interior, may pay an additional sum from any surplus of 75 per centum of prior year receipts: *Provided, however*, That in no event shall the aggregate of payments during any ten-year period commencing with the period beginning July 1, 1940, exceed 75 per centum of the receipts deposited in the Treasury to the credit of the Coos Bay Wagon Road grant fund for such period: *Provided further*, That at the end of each ten-year period, any balance of the 75 per centum not required for payments to the counties shall be covered into the general fund of the Treasury of the United States.

SEC. 4. Not to exceed 25 per centum of the annual receipts shall be available, in such amounts as the Congress shall from time to time appropriate for the administration of the Act of August 28, 1937 (50 Stat. 874), insofar as it applies to the Coos Bay Wagon Road grant lands. Any balance not used for administrative purposes shall be covered into the general fund of the Treasury of the United States.

SEC. 5. All Acts or parts of Acts inconsistent with this Act are hereby repealed.

Approved, May 24, 1939.

#### [CHAPTER 145]

#### AN ACT

To further extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Garrison, North Dakota.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the times for commencing and completing the construction of a bridge across the Missouri River, at or near Garrison, North Dakota, authorized to be built by the State of North Dakota, by the Act of Congress approved February 10, 1932, and heretofore extended by Acts of Congress approved February 14, 1933, June 12, 1934, May 24, 1935, June 5,

May 24, 1939  
[S. 542]  
[Public, No. 86]

Missouri River.  
Time extended for  
bridging, at Garrison,  
N. Dak.

47 Stat. 43, 804;  
48 Stat. 946; 49 Stat.  
288, 1476; 52 Stat. 764.

1936, and June 16, 1938, are hereby further extended two and four years, respectively, from June 12, 1938.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, May 24, 1939.

Amendment.

[CHAPTER 146]

AN ACT

To increase further the efficiency of the Coast Guard by authorizing the retirement under certain conditions of enlisted personnel thereof with twenty or more years of service.

May 24, 1939  
[S. 595]

[Public, No. 87]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Commandant of the Coast Guard (hereinafter referred to as the "Commandant") shall assemble annually a Coast Guard Enlisted Personnel Board (hereinafter referred to as the "Board"), to be composed of not less than three commissioned officers on the active list of the Coast Guard. It shall be the duty of the Board to recommend for retirement such enlisted men of the Coast Guard, who have twenty or more years of service, whom the Board determines, in its discretion, should be retired from active service. The recommendations of the Board shall be transmitted to the Commandant for final action. If the Commandant shall approve the recommendations of the Board, the enlisted man concerned shall be notified thereof in writing, and any enlisted man who, within thirty days after receipt of such notification, files with the Commandant a written protest of the action taken by the Board in his case, shall not be retired involuntarily under this Act unless a subsequent annual Board again determines in its discretion, that such enlisted man should be retired and so recommends, in which case such enlisted man may, upon approval by the Commandant, be retired from active service with retired pay as prescribed by section 5 hereof. At the expiration of thirty days after receipt by an enlisted man of notice as aforesaid, in the event that no such protest is filed by him within the period prescribed, such enlisted man may, upon approval by the Commandant, be retired from active service with retired pay as prescribed by section 5 hereof. If the Commandant shall disapprove any recommendation of the Board, the enlisted man concerned shall retain his status in the Coast Guard to the same extent as if his case had not been considered.

Coast Guard.  
Retirement of enlisted personnel with twenty or more years of service.  
Coast Guard Enlisted Personnel Board, meetings, membership, etc.  
Recommendations for retirements.

Protest; effect of.

Consideration and decision by subsequent annual Board.

Retirement, with pay, if no protest filed.

Status if Commandant disapproves Board's recommendation.

Voluntary retirement.

Limitation on number in any one fiscal year.

Recall to active service.

Pay, etc., while so employed.

Promotions; service credits.

SEC. 2. An enlisted man of the Coast Guard who has twenty or more years of service may, upon suitable application to and approval by the Commandant, be retired from active service with retired pay as prescribed by section 5 hereof.

SEC. 3. The total number of enlisted men who may be retired in any one fiscal year under sections 1 and 2 of this Act shall not exceed the whole number nearest to 1 per centum of the total enlisted force of the Coast Guard on the active list as of January 1 of such year, to be divided in such proportion between retirements under sections 1 and 2 of this Act as may be determined by the Commandant.

SEC. 4. The Commandant is authorized to call any enlisted man who has been retired pursuant to this Act into active service for such duty as he may be able to perform. While so employed such enlisted man shall receive full pay, allowances, and benefits authorized by law, shall be eligible for promotion, and shall be entitled to the benefits of continuous service for such rank and for such length of time as he is or has been employed in active service, and

Status when relieved  
of active duty.

Annual rate of re-  
tirement pay.

Provisos.  
Citation for extra-  
ordinary heroism, etc.

Limitation on  
amount.

Determination of  
extraordinary heroism.

Application of Act.

Regulations.

when relieved of active service shall retain upon the retired list the rank and service held by him at the time of such relief, with pay and such increases as are prescribed in section 5 of this Act.

SEC. 5. The annual rate of pay of any enlisted man retired under this Act shall be  $2\frac{1}{2}$  per centum of the sum of his base pay and all permanent additions thereto at the time of his retirement, multiplied by the number of years of his service: *Provided*, That any enlisted man retired under this Act who has been cited for extraordinary heroism in line of duty, or whose average marks in conduct during his service in the Coast Guard shall be not less than  $97\frac{1}{2}$  per centum of the maximum, shall be entitled to have his retired pay increased by an amount equal to 10 per centum of the sum of his base pay and all permanent additions thereto at the time of his retirement: *Provided further*, That the retired pay of any enlisted man retired under this Act shall not in any case exceed 75 per centum of the sum of his base pay and all permanent additions thereto at the time of his retirement: *And provided further*, That the determination of the Secretary of the Treasury as to what constitutes extraordinary heroism for the purpose of this section shall be final and conclusive.

SEC. 6. (a) The provisions of this Act shall be supplementary to, but shall not be construed to limit or supersede, existing laws relating to the retirement of enlisted personnel of the Coast Guard.

(b) The Commandant may prescribe such regulations which shall be subject to approval by the Secretary of the Treasury, as may be necessary to carry out the purposes of this Act.

Approved, May 24, 1939.

#### [CHAPTER 147]

#### AN ACT

May 24, 1939

[S. 965]

[Public, No. 88]

To amend the Act entitled "An Act authorizing the Port Authority of Duluth, Minnesota, and the Harbor Commission of Superior, Wisconsin, to construct a highway bridge across the Saint Louis River from Rice's Point in Duluth, Minnesota, to Superior in Wisconsin", approved June 30, 1938.

Saint Louis River.  
Authorized bridge  
construction, Duluth,  
Minn., to Superior,  
Wis.; location modi-  
fied.

52 Stat. 1256.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the first section of the Act entitled "An Act authorizing the Port Authority of Duluth, Minnesota, and the Harbor Commission of Superior, Wisconsin, to construct a highway bridge across the Saint Louis River from Rice's Point in Duluth, Minnesota, to Superior in Wisconsin", approved June 30, 1938, is amended by striking out "to the vicinity of the lower end of Banks Avenue extended to the shore line in Superior, Wisconsin", and inserting in lieu thereof "to such point in Superior, Wisconsin, as the Harbor Commission of Superior shall designate".

Approved, May 24, 1939.

#### [CHAPTER 148]

#### AN ACT

May 24, 1939

[S. 1876]

[Public, No. 89]

To readjust the commissioned personnel of the Coast Guard, and for other purposes.

Coast Guard.  
Readjustment of  
commissioned person-  
nel.

45 Stat. 1533.

14 U. S. C. § 10.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 1 of the Act entitled "An Act to readjust the commissioned personnel of the Coast Guard, and for other purposes", approved March 2, 1929 (45 Stat. 1533; U. S. C., title 14, sec. 10), is hereby amended by adding at the end thereof the following paragraph:

"The total number of commissioned officers in the Coast Guard is hereby increased by one hundred and fifty-four line officers (exclusive of commissioned warrant officers) and two district commanders. Such additional line officers shall be distributed in grades in the same proportion as prescribed by the foregoing provisions of this section: *Provided*, That the total number of vacancies created hereby in each of the grades of captain, commander, lieutenant commander, and lieutenant shall be filled at a rate not exceeding, in any one year following the enactment hereof, 20 per centum of such total number."

SEC. 2. Section 2 of the Act entitled "An Act to distribute the commissioned line and engineer officers of the Coast Guard in grades, and for other purposes", approved January 12, 1923 (42 Stat. 1130; U. S. C., title 14, sec. 12), is hereby amended by changing the second proviso thereof to read as follows: "*Provided further*, That the engineer in chief, while so serving, shall have the rank of a rear admiral and the pay and allowances of a rear admiral (lower half), and hereafter the engineer in chief shall be selected from the active list of engineer officers not below the grade of commander (engineering)."

SEC. 3. Section 1 of the Act entitled "An Act to increase the efficiency of the personnel of the Revenue Cutter Service", approved April 16, 1908 (35 Stat. 61, as amended; U. S. C., title 14, sec. 11), is hereby amended by adding at the end thereof the following paragraph:

"The President is authorized to appoint in the Coast Guard, by and with the advice and consent of the Senate, one Assistant Commandant who shall serve for a term of four years unless sooner relieved by the President. The Assistant Commandant shall be selected from the active list of line officers not below the grade of commander, and such appointment shall not create a vacancy; and the Commandant of the Coast Guard shall make recommendations for the appointment of the Assistant Commandant. The Assistant Commandant shall have the rank of a rear admiral and the pay and allowances of a rear admiral (lower half): *Provided*, That an officer whose term of service as Assistant Commandant has expired shall take his place on the lineal list in the grade that he would have attained had he not served as Assistant Commandant."

Approved, May 24, 1939.

Number increased.

Distribution of additional line officers.

Proviso.  
Filling of vacancies.

Engineer in chief.

42 Stat. 1130.  
14 U. S. C. § 12.

Rank, pay, selection.

35 Stat. 61.  
14 U. S. C. § 11;  
Supp. IV, § 11.  
Assistant Commandant; appointment, term, selection, etc.

Rank, pay, allowances.

Proviso.  
Status on expiration of term of service.

#### [CHAPTER 149]

#### AN ACT

Making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1940, and for other purposes.

May 25, 1939  
[H. R. 6149]  
[Public, No. 90]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Navy Department and the naval service for the fiscal year ending June 30, 1940, namely:

Navy Department and naval service appropriations for fiscal year 1940.

### NAVAL ESTABLISHMENT

#### OFFICE OF THE SECRETARY

#### MISCELLANEOUS EXPENSES

For traveling expenses of civilian employees, including not to exceed \$2,500 for the expenses of attendance, at home and abroad, upon meetings of technical, professional, scientific, and other similar organizations when, in the judgment of the Secretary of the Navy, such attendance would be of benefit in the conduct of the work of the

Traveling expenses.

Experts.	Navy Department; not to exceed \$2,000 for the part-time or intermittent employment in the District of Columbia or elsewhere of such experts and at such rates of compensation as may be contracted for by and in the discretion of the Secretary of the Navy; expenses of courts martial, purchase of law and reference books, expenses of prisoners and prisons, courts of inquiry, boards of investigations, examining boards, clerical assistance; witnesses' fees and traveling expenses; not to exceed \$15,000 for promoting accident prevention and safety in shore establishments of the Navy, to be expended in the discretion of the Secretary of the Navy; newspapers and periodicals for the naval service; all advertising of the Navy Department and its bureaus (except advertising for recruits for the Bureau of Navigation); costs of suits; relief of vessels in distress; recovery of valuables from shipwrecks; maintenance of attachés abroad, including office rental and pay of employees, and not to exceed \$12,000 in the aggregate or \$900 for any one person for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (5 U. S. C. 118a); for contingencies for the Director of Naval Intelligence, to be expended in his discretion, not to exceed \$1,000; the collection and classification of information; not to exceed \$215,000 for telephone, telegraph, and teletype rentals and tolls, telegrams, radiograms, and cablegrams; postage, foreign and domestic, and post-office box rentals; necessary expenses for interned persons and prisoners of war under the jurisdiction of the Navy Department, including funeral expenses for such interned persons or prisoners of war as may die while under such jurisdiction; payment of claims for damages as provided in the Act making appropriations for the naval service for the fiscal year 1920, approved July 11, 1919 (34 U. S. C. 600); and other necessary and incidental expenses; in all, \$1,345,990: <i>Provided</i> , That no part of any appropriation contained in this Act shall be available for the expense of any naval district in which there may be an active navy yard, naval training station, or naval operating base, unless the commandant of the naval district shall be also the commandant of one of such establishments: <i>Provided further</i> , That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$515,000.
Courts martial, etc.	
Accident prevention, shore stations.	
Advertising.	
Living quarters, etc.	
46 Stat. 818. 5 U. S. C. § 118a.	
Telegrams, radiograms, cablegrams, etc.	
Damage claims.	
41 Stat. 132. 34 U. S. C. § 600.	
<i>Provided</i> . Restriction on use in certain naval districts.	
Group IV (b) employees.	

## CONTINGENT, NAVY

## Contingent, Navy.

For all emergencies and extraordinary expenses, exclusive of personal services, in the Navy Department or any of its subordinate bureaus or offices at Washington, District of Columbia, arising at home or abroad, but impossible to be anticipated or classified, to be expended on the approval and authority of the Secretary of the Navy, and for such purposes as he may deem proper, and for examination of estimates for appropriations and of naval activities in the field for any branch of the naval service, \$30,000, of which \$2,500 shall be available immediately.

## CARE OF LEPERS, AND SO FORTH, ISLAND OF GUAM

## Care of lepers, etc., Guam and Culion, P. I.

Naval station, Island of Guam: For maintenance and care of lepers, special patients, and for other purposes, including cost of transfer of lepers from Guam to the island of Culion, in the Philippines, and their maintenance, \$22,000; for educational purposes, \$15,000; in all, \$37,000.

## NAVAL RESEARCH LABORATORY

For laboratory and research work and other necessary work of the Naval Research Laboratory for the benefit of the naval service, including operation and maintenance of a laboratory, additions to equipment necessary properly to carry on work in hand, maintenance of buildings and grounds, temporary employment of such scientific and technical civilian assistants as may become necessary, and subscriptions to technical periodicals, to be expended under the direction of the Secretary of the Navy, \$370,000: *Provided*, That \$60,000 of this appropriation shall be available for the temporary employment of civilian scientists and technicians required on special problems: *Provided further*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$135,000, in addition to the amount authorized by the preceding proviso.

Laboratory and research work.

*Provisos.*  
Temporary employment of scientists, etc.

Group IV (b) employees.

## OPERATION AND CONSERVATION OF NAVAL PETROLEUM RESERVES

To enable the Secretary of the Navy to carry out the provisions contained in the Act approved June 4, 1920 (34 U. S. C. 524), requiring him to conserve, develop, use, and operate the naval petroleum reserves, \$70,000, of which amount not to exceed \$20,000 shall be available for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department: *Provided*, That out of any sums appropriated for naval purposes by this Act any portion thereof, not to exceed \$10,000, shall be available to enable the Secretary of the Navy to protect Naval Petroleum Reserve Numbered 1, established by Executive order of September 2, 1912, pursuant to the Act of June 25, 1910 (43 U. S. C. 141-143), by drilling wells and performing any work incident thereto, of which amount not to exceed \$100,000 shall be available for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department: *Provided further*, That no part of the sum made available for the protection of this property shall be expended if a satisfactory agreement can be made with adjoining landowners not to drill offset wells for the purpose of producing oil.

Conservation, operation, etc.  
41 Stat. 813.  
34 U. S. C. § 524.

Group IV (b) employees.

*Provisos.*  
Protective work on Reserve No. 1.

36 Stat. 847.  
43 U. S. C. §§ 141-143.  
Group IV (b) employees.

Agreement with adjoining landowners not to drill offset wells.

## NAVAL PRISON FARMS AND PRISON PERSONNEL

For the operation, maintenance, and improvement of naval prison farms and for the welfare, recreation, and education of prison personnel, to be expended under such regulations as the Secretary of the Navy may prescribe, \$12,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Operation, etc.

*Proviso.*  
Limitation on expenditures.  
48 Stat. 1227.  
31 U. S. C. § 725c.

## BUREAU OF NAVIGATION

## TRAINING, EDUCATION, AND WELFARE, NAVY

Naval War College: For maintenance and operation, including repairs, improvements, and care of grounds; services of a professor of international law, \$2,000; services of lecturers, \$2,000; and other

Naval War College, maintenance, etc.



	civilian services; library expenses, including the purchase, binding, and repair of books and periodicals and subscriptions to newspapers and periodicals; and including contingencies of the president of the Naval War College, to be expended in his discretion, not exceeding \$1,000; and for other necessary expenses, \$124,500;
Naval training stations.	Naval training stations: For maintenance, operation, and other necessary expenses, including repairs, improvements, and care of grounds of the naval training stations which follow: San Diego, California, \$161,000; Newport, Rhode Island, \$152,000; Great Lakes, Illinois, \$244,000; Norfolk, Virginia, \$465,000;
Fleet training, gunnery, etc., prizes.	Fleet training: For trophies and badges for excellence in gunnery, target practice, communication, engineering exercises, and for economy in fuel consumption, to be awarded under such rules as the Secretary of the Navy may formulate; for the purpose of recording, classifying, compiling, and publishing the rules and results; for the establishment and maintenance of shooting galleries, target houses, targets, and ranges; for hiring established ranges, and for transporting equipment to and from ranges; entrance fees in matches for the rifle team, and special equipment therefor, \$55,690;
Instruction.	Instruction: For postgraduate instruction of officers in other than civil government and literature, including such amounts as may be necessary to carry out the provisions of the Act approved January 16, 1936 (34 U. S. C. 1073), and for special instruction, education, and individual training of officers and enlisted men at home and abroad, including maintenance of students abroad, except aviation training and submarine training otherwise appropriated for, \$222,290:
Retirement annuities. 49 Stat. 1092. 34 U. S. C., Supp. IV, §§ 1073-1073c.	<i>Provided</i> , That no part of this or any other appropriation contained in this Act shall be available for or on account of any expense incident to giving special educational courses or post-graduate instruction to officers with view to qualifying them or better qualifying them for the performance of duties required to be performed by or in pursuance of law by officers of the Supply Corps, Construction Corps, or Corps of Civil Engineers, except present students and except such officers who are commissioned in such corps or who have not been commissioned in the line of the Navy more than three years and four months prior to the commencement of such educational courses or postgraduate instruction;
<i>Proviso.</i> Restriction on special educational courses, etc.	Libraries: For libraries, professional books, textbooks, religious books, periodicals, and newspaper subscriptions for ships and shore stations not otherwise appropriated for, \$60,000;
Exception.	Welfare and recreation: For welfare and recreation of the Navy, including periodicals and newspaper subscriptions, and not exceeding \$4,000 for care and operation of schools at naval stations at Guantanamo Bay, Guam, and Tutuila, for the children of Naval and Marine Corps commissioned, enlisted, and civilian personnel, to be expended in the discretion of the Secretary of the Navy, under such regulations as he may prescribe, \$280,000;
Libraries.	Naval Reserve Officers' Training Corps: For all expenses incident to the conduct of the Naval Reserve Officers' Training Corps under such regulations as the President has prescribed or hereafter may prescribe under the provisions of section 22 of the Act approved March 4, 1925, as amended by the Act of August 6, 1937 (34 U. S. C. 821), \$142,000: <i>Provided</i> , That uniforms and other equipment or material issued to the Naval Reserve Officers' Training Corps in accordance with law may be furnished from surplus or reserve stocks of
Welfare and recreation.	
Naval Reserve Officers' Training Corps.	
43 Stat. 1276; 50 Stat. 563. 34 U. S. C. § 821; Supp. IV, § 821. <i>Proviso.</i> Uniforms, equipment, etc.	

the Navy without payment under this appropriation, except for actual expenses incurred in the manufacture or issue;

In all, training, education, and welfare, Navy, \$1,906,480: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department, exclusive of temporary services, shall not exceed the following amounts, respectively: Naval War College, \$77,000; Naval Training Station, San Diego, \$3,050; Naval Training Station, Newport, \$7,800; Naval Training Station, Great Lakes, \$12,350; Naval Training Station, Norfolk, \$2,100; Instruction, \$22,300; Libraries, \$19,115; Welfare and Recreation, \$4,000.

Total.  
*Provided*,  
Group IV (b) em-  
ployees.

#### STATE MARINE SCHOOLS, ACT OF MARCH 4, 1911

To reimburse the State of California, \$25,000; the State of Massachusetts, \$25,000; the State of New York, \$25,000; and the State of Pennsylvania, \$25,000, for expenses incurred in the maintenance and support of marine schools in such States as provided in the Act authorizing the establishment of marine schools, and so forth, approved March 4, 1911 (34 U. S. C. 1121), and for the maintenance and repair of the particular vessels loaned by the United States to the said States on the date of the approval of this Act for use in connection with such State marine schools, \$90,000, and no other vessels shall be furnished by or through the Navy Department; in all, \$190,000.

Reimbursement of  
designated States for  
expenses.

36 Stat. 1353.  
34 U. S. C. § 1121;  
Supp. IV, § 1121.  
Maintenance, etc.,  
of vessels loaned.

#### INSTRUMENTS AND SUPPLIES, NAVY

For supplies for seamen's quarters; and for the purchase of all other articles of equipage at home and abroad; and for the payment of labor in equipping vessels therewith and manufacture of such articles in the several navy yards; all pilotage and towage of ships of war; canal tolls, wharfage, dock and port charges, and other necessary incidental expenses of a similar nature; hire of launches or other small boats in Asiatic waters; quarantine expenses; services and materials in repairing, correcting, adjusting, and testing compasses on shore and on board ship; nautical and astronomical instruments and repairs to same; compasses; compass fittings including binnacles, tripods, and other appendages of ship's compasses; logs and other appliances for measuring the ship's way and leads and other appliances for sounding; photographs, photographic instruments and materials, printing outfit and materials; music and musical instruments; commissions, warrants, diplomas, discharges, good-conduct badges, and medals for men and boys; transportation of effects of deceased officers, nurses, and enlisted men of the Navy, and of officers and men of the Naval Reserve who die while on duty; not to exceed \$5,000 for contingent expenses and emergencies arising under cognizance of the Bureau of Navigation, unforeseen and impossible to classify; and for the necessary civilian electricians for gyrocompass testing and inspection, \$700,000: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$38,000.

Instruments and  
supplies.

*Provided*,  
Group IV (b) em-  
ployees.

## OCEAN AND LAKE SURVEYS, NAVY

Hydrographic surveys.

*Proviso.*  
Group IV (b) employees.

For hydrographic surveys, including the pay of the necessary hydrographic surveyors, cartographic draftsmen, and recorders, and for the purchase of nautical books, charts, and sailing directions, \$80,000: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$34,000.

## NAVAL RESERVE

Organizing, recruiting, etc.  
52 Stat. 1175; 49 Stat. 156.  
34 U. S. C., Supp. IV, §§ 852-853i, 842-848.

Naval and Marine Corps Reserve, aviation activities.

Group IV (b) employees.

*Provisos.*  
Drills, limitation.

Reserve officers performing active duty.

Pay, allowances, etc., restriction.

For all expenses not otherwise provided for, authorized by the "Naval Reserve Act of 1938", and the Act approved April 15, 1935 (49 Stat. 156), in connection with organizing, administering, recruiting, instructing, training, and drilling the Naval Reserve, including the designing, purchasing, and engraving of medals and trophies; medical supplies and equipment; purchase, maintenance, and operation of ambulances; aviation matériel, equipment, and fuel in connection with the aviation activities of the Naval and Marine Corps Reserve; maintenance and operation of floating equipment; and rental, maintenance, and operation of such shore stations as may be required in connection with Naval Reserve activities, \$9,937,205, of which amount not more than \$7,222,615 shall be available, in addition to other appropriations, for and on account of Naval and Marine Corps Reserve aviation; not more than \$2,714,590 shall be available, in addition to other appropriations, for all other Naval Reserve activities; and not more than \$81,000 shall be available for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department: *Provided*, That no part of any of the foregoing amounts shall be available for the performance of more than forty-eight drills per annum or other equivalent instruction or duty or appropriate duties: *Provided further*, That, except in time of war or during the existence of a national emergency declared by the President, no appropriation contained in this Act shall be available to pay more than twenty officers of the Naval Reserve and four officers of the Marine Corps Reserve above the grade of lieutenant or captain, respectively, the pay and allowances of their grade for the performance of active duty other than the performance of drills or other equivalent instruction or duty, or appropriate duties and the performance of fifteen days' active training duty, and other officers above such grades employed on such class of active duty (not to exceed four months in any calendar year) shall not be entitled to be paid a greater rate of pay and allowances than authorized by law for a lieutenant of the Navy or a captain of the Marine Corps entitled to not exceeding ten years' longevity pay: *Provided further*, That no appropriation made in this Act shall be available for pay, allowances, travel, or other expenses of any officer or enlisted men of the Naval or Marine Corps Reserve who may be drawing a pension, disability allowance, disability compensation, or retired pay from the Government of the United States, and "retired pay" as here used shall not include the pay of members of the Fleet Reserve, Fleet Marine Corps Reserve, or members on the honorary retired list of such Reserve forces.

## NAVAL ACADEMY

Pay of professors, etc.

Pay, Naval Academy: For pay of professors and instructors, including one professor as librarian, and such amounts as may be

necessary to carry out the provisions of the Act approved January 16, 1936 (34 U. S. C. 1073), \$294,938: *Provided*, That this appropriation shall not be available for the employment of more than nine masters and instructors in swordsmanship and physical training.

For pay of other employees, \$619,735: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules, in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department, shall not exceed \$263,539.

Current and miscellaneous expenses, Naval Academy: For text and reference books for use of instructors; stationery, blank books and forms, models, maps, newspapers, and periodicals; apparatus and materials for instruction in physical training and athletics; expenses of lecturers and entertainments, not exceeding \$3,000, including pay and expenses of lecturers and visiting clergymen; chemicals, philosophical apparatus and instruments, stores, machinery, tools, fittings, apparatus, materials for instruction purposes, and purchase of and engraving of trophies and badges, \$50,600; for purchase, binding, and repair of books for the library (to be purchased in the open market on the written order of the superintendent), \$5,500; for purchase of the Culver collection of ship and ship model manuscripts, documents, books, photographs, prints, and so forth, \$3,000; for expenses of the Board of Visitors to the Naval Academy, \$1,200; for contingencies for the Superintendent of the Academy, to be expended in his discretion, not exceeding \$4,000; for contingencies for the commandant of midshipmen, to be expended in his discretion, not exceeding \$1,200; in all, \$65,500, to be accounted for as one fund.

Maintenance and repairs, Naval Academy: For necessary repairs of public buildings, wharves, and walls enclosing the grounds of the Naval Academy, accident prevention, improvements, repairs, and fixtures; for books, periodicals, maps, models, and drawings; purchase and repair of fire engines; fire apparatus and plants, machinery; purchase and maintenance of all horses and horse-drawn vehicles for use at the academy, including the maintenance, operation, and repair of three horse-drawn passenger-carrying vehicles to be used only for official purposes; seeds and plants; tools and repairs of the same; stationery; furniture for Government buildings and offices at the academy, including furniture for midshipmen's rooms; coal and other fuels; candles, oil, and gas; attendance on light and power plants; cleaning and clearing up station and care of buildings; attendance on fires, lights, fire engines, fire apparatus, and plants, and telephone, telegraph, and clock systems; incidental labor, advertising, water tax, postage, telephones, telegrams, tolls, and ferriage; flags and awnings; packing boxes; pay of inspectors and draftsmen; and music and astronomical instruments, \$1,107,566, of which \$2,000 shall be available exclusively on account of the collection of ship models bequeathed by the late Henry H. Rogers: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$27,606.

#### NAVAL HOME, PHILADELPHIA, PENNSYLVANIA

For pay of employees, \$100,120: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien

Annuities.  
49 Stat. 1032.  
34 U. S. C., Supp.  
IV, §§ 1073-1073e.  
*Proviso*.  
Swordsmanship,  
etc., instruction.  
Other employees.  
*Proviso*.  
Group IV (b) em-  
ployees.

Current, etc., ex-  
penses.

Lectures, etc.

Books, purchase, re-  
pair, etc.

Purchase of Culver  
collection.

Board of Visitors.

Maintenance and  
repairs.

Horses, vehicles, etc.

Furniture.

Ship models be-  
queathed by Henry H.  
Rogers.  
*Proviso*.  
Group IV (b) em-  
ployees.

Employees.  
*Proviso*.  
Group IV (b) em-  
ployees.

schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$13,800;

Maintenance.

Maintenance: For water rent, heating, and lighting; cemetery, burial expenses, and headstones; general care and improvements of grounds, buildings, walls, and fences; repairs to power-plant equipment, implements, tools, and furniture, and purchase of the same; music in chapel and entertainment for beneficiaries; stationery, books, and periodicals; transportation of indigent and destitute beneficiaries to the Naval Home, and of sick and insane beneficiaries, their attendants and necessary subsistence for both, to and from other Government hospitals; employment of such beneficiaries in and about the Naval Home as may be authorized by the Secretary of the Navy, on the recommendation of the governor; support of beneficiaries and all other contingent expenses, including the maintenance, repair, and operation of two motor-propelled vehicles, and one motor-propelled passenger-carrying vehicle to be used only for official purposes, \$99,880;

Employment of beneficiaries.

In all, Naval Home, \$200,000.

## BUREAU OF ENGINEERING

### ENGINEERING

Repairs, preservation of machinery, etc.

For repairs, preservation, and renewal of machinery, auxiliary machinery, and boilers of naval vessels, yard craft, and ships' boats, distilling and refrigerating apparatus; repairs, preservation, and renewals of electric interior and exterior signal communications and all electrical appliances of whatsoever nature on board naval vessels, except range finders, battle order and range transmitters and indicators, and motors and their controlling apparatus used to operate machinery belonging to other bureaus; searchlights and fire-control equipments for antiaircraft defense at shore stations; maintenance and operation of coast signal service; equipage, supplies, and materials under the cognizance of the Bureau required for the maintenance and operation of naval vessels, yard craft, and ships' boats; purchase, installation, repair, and preservation of machinery, tools, and appliances in navy yards and stations, accident prevention, pay of classified field force under the Bureau; incidental expenses for naval vessels, navy yards, and stations, inspectors' offices, the engineering experiment station, such as photographing, technical books and periodicals, stationery, and instruments; services, instruments, machines and auxiliaries, apparatus and supplies, and technical books and periodicals necessary to carry on experimental and research work; maintenance and equipment of buildings and grounds at the engineering experiment station, Annapolis, Maryland; payment of part-time or intermittent employment in the District of Columbia or elsewhere of such scientists and technicians as may be contracted for by the Secretary of the Navy, in his discretion, at a rate of pay not exceeding \$20 per diem for any persons so employed, and payment of the travel expenses of such persons if they be members of the Naval Reserve ordered to active duty; in all, \$26,317,500, and, in addition, the Secretary of the Navy may enter into contracts prior to July 1, 1940, for the procurement of tools to an amount not in excess of \$1,035,800, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$2,000,000.

Exceptions.

Equipage, supplies, etc.

Field force.

Annapolis, Md., engineering experiment station.

Contracts.

*Proviso.*  
Group IV (b) employees.

## BUREAU OF CONSTRUCTION AND REPAIR

## CONSTRUCTION AND REPAIR

For designing naval vessels, including services, instruments, apparatus, and materials necessary for experimental and research work; payment of part-time or intermittent employment in the District of Columbia, or elsewhere, of such scientists and technicians as may be contracted for by the Secretary of the Navy, in his discretion, at a rate of pay not exceeding \$25 per diem for any person so employed, and payment of the travel expenses of such persons if they be members of the Naval Reserve ordered to active duty; maintenance, repairs, and alterations of vessels; care and preservation of vessels out of commission; docking of vessels; salvage and salvage services for naval floating property; construction and repair of district and yard craft; purchase and manufacture of equipage, appliances, supplies, and materials at home and abroad as required for the maintenance, repair, alteration, and operation of naval vessels and district and yard craft; carrying on work of the experimental model basin and wind tunnel; tools and appliances for all purposes in navy yards and naval stations; labor in navy yards and naval stations and elsewhere at home and abroad; accident prevention; pay of classified field force, including employees in material inspection and superintending constructors' offices; incidental expenses at navy yards and naval stations and in material inspection and superintending constructors' offices such as photographing, technical and professional books and magazines, plans, stationery, drafting instruments, and other materials, \$24,422,500, and, in addition, the Secretary of the Navy may enter into contracts prior to July 1, 1940, for the procurement of tools to an amount not in excess of \$1,035,800, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$1,655,000.

Designing of naval vessels, etc.

Maintenance, etc., of vessels.

Equipage, supplies, etc.

Field force.

Contracts.

*Provided*.  
Group IV (b) employees.

## BUREAU OF ORDNANCE

## ORDNANCE AND ORDNANCE STORES, NAVY

For procuring, producing, preserving, and handling ordnance material for the armament of ships; for the purchase and manufacture of torpedoes and appliances; for the purchase and manufacture of smokeless powder; for fuel, material, and labor to be used in the general work under the cognizance of the Bureau of Ordnance; for furniture at naval ammunition depots, torpedo stations, naval ordnance plants, and proving grounds; for technical books; plant appliances as now defined by the "Navy Classification of Accounts"; for machinery and machine tools; for accident prevention; for experimental work in connection with the development of ordnance material for the Navy; for maintenance of proving grounds, powder factory, torpedo stations, gun factory, ammunition depots, and naval ordnance plants, and for target practice; not to exceed \$20,000 for minor improvements to buildings, grounds, and appurtenances of a character which can be performed by regular station labor; for payment of part-time or intermittent employment in the District of Columbia, or elsewhere, of such scientists and technicians as may be contracted for by the Secretary of the Navy in his discretion at a rate of pay not exceeding \$20 per diem for any person so employed, and payment of the travel

Procuring, preserving, etc.

Fuel, material, and labor.

Experimental work.

Scientists, etc.

Vehicles. expenses of such persons if they be members of the Naval Reserve ordered to active duty; for the maintenance, repair, and operation of horse-drawn and motor-propelled freight and passenger-carrying vehicles, to be used only for official purposes at naval ammunition depots, naval proving grounds, naval ordnance plants, and naval torpedo stations; for the pay of chemists, clerical, drafting, inspection, and messenger service in navy yards, naval stations, naval ordnance plants, and naval ammunition depots, and for care and operation of schools at ordnance stations at Indianhead, Maryland; Dahlgren, Virginia; and South Charleston, West Virginia, \$32,548,000: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$1,460,000.

Schools at designated stations.

*Provide.*  
Group IV (b) employees.

## BUREAU OF SUPPLIES AND ACCOUNTS

### PAY, SUBSISTENCE, AND TRANSPORTATION OF NAVAL PERSONNEL

Pay of naval personnel. *Post*, p. 1321.  
Aerial flights, increased pay; restrictions.

Rent and subsistence.  
Retired officers.  
Hire of quarters.

Enlisted men on retired list.

Prizes, etc.

Outfits, clothing, etc.

Reimbursement for certain losses.

Nurse Corps.

Pay of naval personnel: For pay and allowances prescribed by law of officers on sea duty and other duty, and officers on waiting orders, pay \$37,037,664, including not to exceed \$1,887,045 for increased pay for making aerial flights, no part of which shall be available for increased pay for making aerial flights by more than five officers above the rank of captain, nor by nonflying officers or observers at rates in excess of those prescribed by law for the Army, which shall be the legal maximum rates as to such nonflying officers or observers; rental allowance, \$7,698,476; subsistence allowance, \$4,657,071; in all, \$49,393,211; officers on the retired list, \$9,801,590; for hire of quarters for officers serving with troops where there are no public quarters belonging to the Government, and where there are not sufficient quarters possessed by the United States to accommodate them, and hire of quarters for officers and enlisted men on sea duty at such times as they may be deprived of their quarters on board ship due to repairs or other conditions which may render them uninhabitable, \$7,865; pay of enlisted men on the retired list, \$9,452,619; interest on deposits by men, \$8,400; pay of petty officers (not to exceed an average of nine thousand and forty-four chief petty officers, of which number those with a permanent appointment as chief petty officer shall not exceed an average of seven thousand nine hundred), seamen, landsmen, and apprentice seamen, including men in the engineer's force and men detailed for duty with the Bureau of Fisheries, enlisted men, men in trade schools, pay of enlisted men of the Hospital Corps, extra pay for men as authorized by law, and cash prizes (not to exceed \$113,050) for men for excellence in gunnery, target practice, communication, and engineering competitions, \$96,252,950; outfits for all enlisted men and apprentice seamen of the Navy on first enlistment, civilian clothing not to exceed \$15 per man to men given discharges for bad conduct or undesirability or inaptitude, reimbursement in kind of clothing to persons in the Navy for losses in cases of marine or aircraft disasters or in the operation of water- or air-borne craft, and the authorized issue of clothing and equipment to the members of the Nurse Corps, \$2,195,222; pay of enlisted men undergoing sentence of court martial, \$35,445, and as many machinists as the President may from time to time deem necessary to appoint; pay and allowances of the Nurse Corps, including assistant superintendents, directors, and assistant directors—pay, \$545,740; rental allowance, \$38,400; subsistence allowance, \$24,156; pay retired

list, \$315,333; in all, \$923,629; rent of quarters for members of the Nurse Corps; pay and allowances of transferred and assigned men of the Fleet Naval Reserve, \$15,144,575; reimbursement for losses of property as provided in the Act approved October 6, 1917 (34 U. S. C. 981, 982), as amended by the Act of March 3, 1927 (34 U. S. C. 983), \$10,000; payment of six months' death gratuity, \$230,039; in all, \$183,455,545; and, except during war or national emergency declared by the President to exist, no part of such sum shall be available to pay active-duty pay and allowances to officers on the retired list, except seven for assignments filed on September 30, 1937, exclusive of the assignments at the Naval Mine Depot, Yorktown, Virginia, and in the Treasury Department, three for duty exclusively with the Maritime Commission, two for duty exclusively in connection with the naval petroleum reserves, one for duty as curator of the Naval Academy Museum, and one for duty at the Naval Gun Factory, Washington, District of Columbia, and except retired officers temporarily ordered to active duty as members of retiring and selection boards as authorized by law: *Provided*, That, except for the public quarters occupied by the Chief of Office of Naval Operations, the Superintendent of the Naval Academy, and the Commandant of the Marine Corps, and messes temporarily set up on shore for officers attached to seagoing vessels, to aviation units based on seagoing vessels including officers' messes at the fleet air bases, and to landing forces and expeditions, and in addition not to exceed forty in number at such places as shall be designated by the Secretary of the Navy, no appropriation contained in this Act shall be available for the pay, allowances, or other expenses of any enlisted man or civil employee performing service in the residence or quarters of an officer or officers on shore as a cook, waiter, or other work of a character performed by a household servant, but nothing herein shall be construed as preventing the voluntary employment in any such capacity of a retired enlisted man or a transferred member of the Fleet Naval Reserve without additional expense to the Government, nor the sale of meals to officers by general messes on shore as regulated by detailed instructions from the Navy Department;

Subsistence of naval personnel: For provisions and commuted rations for enlisted men of the Navy, which commuted rations may be paid to caterers of messes in case of death or desertion, upon orders of the commanding officers, at 50 cents per diem, and midshipmen at 75 cents per diem, and commuted rations stopped on account of sick in hospital and credited at the rate of 70 cents per ration to the naval hospital fund; subsistence of men unavoidably detained or absent from vessels to which attached under orders (during which subsistence rations to be stopped on board ship and no credit for commutation therefor to be given); quarters and subsistence of men on detached duty; subsistence of members of the Naval Reserve during period of active service; subsistence in kind at hospitals and on board ship in lieu of subsistence allowance of female nurses and Navy and Marine Corps general courts-martial prisoners undergoing imprisonment with sentences of dishonorable discharge from the service at the expiration of such confinement; in all, \$21,421,261: *Provided*, That no part of this or any other appropriation contained in this Act shall be available for the procurement of any article of food not grown or produced in the United States or its possessions, except articles of food not so grown or produced or which cannot be procured in sufficient quantities as and when needed, and except procurements by vessels or establishments in foreign waters or countries for the personnel attached thereto;

Fleet Naval Reserve.  
Property losses.  
40 Stat. 389; 44 Stat. 1368.  
34 U. S. C. §§ 981-983.

Active duty pay, etc., to retired officers; restriction.

Exceptions.

*Proviso.*  
Enlisted men as household servants.

Voluntary, etc., services.

Sale of meals to officers.

Subsistence of naval personnel.

Unavoidable absences.

Detached duty.  
Naval Reserve, active duty.

*Proviso.*  
Procurement of food articles not produced in United States, restriction.



Transportation and recruiting.

Attendance at meetings.

Midshipmen, etc.

Enlisted men, etc.

Apprehension of deserters, etc.

Recruiting.

Transportation of dependents.  
Funeral escorts.

Total.

Amount immediately available.

Accounting.

*Provisos.*  
Additional medical detail, Veterans' Administration patients in naval hospitals.

Restrictions on admissions to Naval Academy after January 30, 1939.

Appointments at large, from enlisted men, etc.

Transportation and recruiting of naval personnel: For mileage and actual and necessary expenses and per diem in lieu of subsistence as authorized by law to officers of the Navy while traveling under orders, including the cost of a compartment or such other accommodations, as may be authorized by the Secretary of the Navy, for security when secret documents are transported by officer messenger, and including not to exceed \$5,000 for the expenses of attendance, at home and abroad, upon meetings of technical, professional, scientific, and other similar organizations, when, in the judgment of the Secretary of the Navy, such attendance would be of benefit in the conduct of the work of the Navy Department; for mileage, at 5 cents per mile, to midshipmen entering the Naval Academy while proceeding from their homes to the Naval Academy for examination and appointment as midshipmen, and not more than \$2,500 shall be available for transportation of midshipmen, including reimbursement of traveling expenses while traveling under orders, after appointment as midshipmen; for actual traveling expenses of female nurses; for travel allowance or for transportation and subsistence as authorized by law of enlisted men upon discharge; transportation of enlisted men and apprentice seamen and applicants for enlistment at home and abroad, with subsistence and transfers en route, or cash in lieu thereof; transportation to their home, if residents of the United States, of enlisted men and apprentice seamen discharged on medical survey, with subsistence and transfers en route, or cash in lieu thereof; transportation of sick or insane enlisted men and apprentice seamen and insane supernumerary patients to hospitals, with subsistence and transfers en route, or cash in lieu thereof; apprehension and delivery of deserters and stragglers, and for railway, steamship, and airway guides and other expenses incident to transportation; expenses of recruiting for the naval service; rent of rendezvous and expenses of maintaining the same; advertising for and obtaining men and apprentice seamen; actual and necessary expenses in lieu of mileage to officers on duty with traveling recruiting parties; transportation of dependents of officers and enlisted men, \$1,045,592; expenses of funeral escorts of naval personnel; actual expenses of officers and midshipmen while on shore-patrol duty, including the hire of automobiles when necessary for the use of shore-patrol detachment; in all, \$5,642,411;

In all, for pay, subsistence, and transportation of naval personnel, including members of the Naval Reserve when called to active duty in time of war or during the existence of a national emergency declared by the President, \$210,519,217, and \$1,000,000 of such amount shall be available immediately, and the money herein specifically appropriated for "Pay, subsistence, and transportation of naval personnel" shall be disbursed and accounted for in accordance with existing law and shall constitute one fund: *Provided*, That additional commissioned, warranted, appointed, enlisted, and civilian personnel of the Medical Department of the Navy, required for the care of patients of the United States Veterans' Administration in naval hospitals, may be employed in addition to the numbers appropriated for in this Act: *Provided further*, That no part of this appropriation shall be available for the pay of any midshipmen whose admission subsequent to January 30, 1939, would result in exceeding at any time an allowance of four midshipmen for each Senator, Representative, and Delegate in Congress; of one midshipman for Puerto Rico, a native of the island, appointed on nomination of the Governor, and of four midshipmen from Puerto Rico appointed on nomination of the Resident Commissioner; and of four midshipmen from the District of Columbia: *Provided further*, That nothing herein shall be construed to repeal or modify in any way existing laws relative

to the appointment of midshipmen at large, from the enlisted personnel of the naval service, from the Naval Reserve, from honor graduates of military schools or Naval Reserve Officers' Training Corps: *Provided further*, That no part of this appropriation shall be available for the pay of any midshipman appointed from enlisted men of the Navy who has not served aboard a vessel of the Navy in full commission for at least nine months prior to admission to the Naval Academy.

Sea service requirements of appointees from enlisted men.

#### MAINTENANCE, BUREAU OF SUPPLIES AND ACCOUNTS

For equipage, supplies, and services under the cognizance of the Bureau of Supplies and Accounts, including stationery for commanding, executive, communication, and navigating officers of ships, boards and courts on ships, and chaplains; commissions, interest, and exchange; ferriage and bridge tolls, including streetcar fares; rent of buildings and offices not in navy yards except for use of naval attachés and recruiting officers; accident prevention; services of civilian employees under the cognizance of the Bureau of Supplies and Accounts; freight, express, and parcel-post charges, including transportation of funds and cost of insurance on shipments of money when necessary; for transportation on Government-owned vessels, notwithstanding the provisions of other law, of privately owned automobiles of Regular Navy and Marine Corps personnel upon change of station, and ice for cooling drinking water on shore (except at naval hospitals and shops at industrial navy yards), pertaining to the Navy Department and Naval Establishment, \$10,524,000, of which amount \$500,000 shall be available immediately: *Provided*, That no part of this or any other appropriation contained in this Act shall be available for or on account of the supply or replacement of table linen, dishes, glassware, silver, and kitchen utensils for use in the residences or quarters of officers on shore, except for messes temporarily set up on shore for officers attached to seagoing vessels, to aviation units based on seagoing vessels, to the fleet air bases, or to landing forces and expeditions: *Provided further*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$4,900,000: *Provided further*, That, without deposit to the credit of the Treasurer of the United States and withdrawal on money requisitions, receipts of public moneys from sales or other sources by officers of the Navy and Marine Corps on disbursing duty and charged in their official accounts may be used by them as required for current expenditures, all necessary bookkeeping adjustments of appropriations, funds, and accounts to be made in the settlement of their disbursing accounts.

Maintenance.

Freight, etc., charges.

*Proviso.*  
Supply or replacement of kitchen, etc., ware for officers' quarters ashore forbidden.

Group IV (b) employees.

Use of certain receipts for current expenditures; accounting.

#### CLOTHING, NAVAL RESERVE

The clothing and small-stores fund shall be charged with the value of all issues of clothing and small stores made to aviation cadets and enlisted men of the Naval Reserve and the uniform gratuity paid to officers and aviation cadets of the Naval Reserve.

Clothing and small-stores, Naval Reserve.

#### NAVAL SUPPLY ACCOUNT FUND

To increase the Naval Supply Account Fund established by the Act approved March 1, 1921 (31 U. S. C. 644), an amount not to exceed such sum or sums as may be deposited from time to time in the Treasury during the fiscal year ending June 30, 1940, to the credit of "Miscellaneous receipts", realized from the sale of old material, con-

Naval Supply Account Fund.  
41 Stat. 1169.  
31 U. S. C. § 644.

demned stores, supplies, or other surplus public property of any kind belonging to the Navy Department and not otherwise reappropriated.

#### STRATEGIC AND CRITICAL MATERIALS

Procurement and transportation.  
*Provisos.*  
Use restricted.

For the procurement and transportation of strategic and critical materials, \$500,000, to remain available until expended: *Provided*, That materials acquired hereunder shall not be issued for current use in time of peace without the approval of the Secretary of the Navy, except that materials acquired under this title may be issued for current use when replaced by materials purchased from current appropriations: *Provided further*, That for the purposes of this paragraph, the Secretary of the Navy shall determine what materials are strategic and critical.

Determination of.

#### RESERVE MATERIAL, NAVY

Procurement and maintenance of stores as reserve.

*Proviso.*  
Use of; reimbursement.

For procuring and maintaining stores of materials (except ordnance materials) as a reserve for use in the national defense in time of war or when, in the opinion of the President, a national emergency exists, to be immediately available and to continue available until expended, \$750,374: *Provided, however*, That materials purchased with funds appropriated by this paragraph shall be used for current naval purposes whenever a demand exists therefor in order to avoid deterioration or obsolescence, and when so used the cost thereof shall be reimbursed to this appropriation from applicable naval appropriations.

#### FUEL AND TRANSPORTATION, NAVY

Fuel and transportation.

*Provisos.*  
Issue to be charged to applicable appropriation.

Use of fuel on hand.

For coal and other fuel for submarine bases and steamers' and ships' use, including expenses of transportation, storage, and handling the same and the removal of fuel refuse from ships; maintenance and general operation of machinery of naval fuel depots and fuel plants; water for all purposes on board naval vessels, and ice for the cooling of water, including the expense of transportation and storage of both, \$8,401,075, of which \$1,000,000 shall be immediately available: *Provided*, That fuel acquired other than by purchase shall not be issued without charging the applicable appropriation with the cost of such fuel at the rate current at the time of issue for fuel purchased: *Provided further*, That the President may direct the use, wholly or in part, of fuel on hand, however acquired, to be charged at the last issue rate for fuel acquired by purchase, when, in his judgment, prices quoted for supplying fuel are excessive.

### BUREAU OF MEDICINE AND SURGERY

#### MEDICAL DEPARTMENT

Surgeons' necessities.  
Civil establishment.

Vehicles, etc.

For surgeons' necessities for vessels in commission, navy yards, naval stations, and Marine Corps; and for the civil establishment at the several naval hospitals, navy yards, naval medical supply depots, Naval Medical Center, Naval Medical School, and Naval Dispensary, Washington, and Naval Academy; for tolls and ferriages; purchase of books and stationery; hygienic and sanitary investigation and illustration; sanitary, hygienic, administrative, and special instruction, including the issuing of naval medical bulletins and supplements; purchase and repairs of non-passenger-carrying wagons, automobile ambulances, and harness; purchase of and feed for horses and cows; maintenance, repair, and operation of three passenger-carrying motor vehicles for Naval Dispensary, Washington, District

of Columbia, and of one motor-propelled vehicle for official use only for the medical officer on out-patient medical service at the Naval Academy; trees, plants, care of grounds, garden tools, and seeds; incidental articles for the Naval Medical Center, Naval Medical School, and Naval Dispensary, Washington, naval medical supply depots, sick quarters at Naval Academy and marine barracks; washing for medical department at Naval Medical Center, Naval Medical School, and Naval Dispensary, Washington, naval medical supply depots, sick quarters at Naval Academy and marine barracks, dispensaries at navy yards and naval stations, and ships; and for minor repairs on buildings and grounds of the Naval Medical School and naval medical supply depots; for dental outfits and dental material; and all other necessary contingent expenses; in all, \$2,600,000: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$135,000.

Naval Medical Center, etc.

*Proviso.*  
Group IV (b) employees.

#### CARE OF THE DEAD

For the care of the dead; for funeral expenses and interment or transportation to their homes or to designated cemeteries of the remains of officers and enlisted men of the Navy and Marine Corps, of members of the Nurse Corps, reservists on active or training duty, and accepted applicants for enlistment, civilian employees of the Navy Department and Naval Establishment who die outside of the continental limits of the United States, and former enlisted men who are discharged while in hospitals and are inmates of said hospitals on the date of their death; for funeral expenses and interment of the remains of pensioners and destitute patients who die in naval hospitals; for purchase and care of cemetery lots; for care of graves outside of the continental limits of the United States, including those in sites not owned by the United States; for removal of remains from abandoned cemeteries to naval or national cemeteries, or to their homes, including remains interred in isolated graves at home and abroad, and remains temporarily interred, \$70,000: *Provided*, That the above provision shall apply in the case of officers and enlisted men of the Navy and Marine Corps on the retired list who die while on active duty.

Interment and transportation.

Civilian employees dying abroad.

*Proviso.*  
Retired officers, etc., on active duty.

#### BUREAU OF YARDS AND DOCKS

##### MAINTENANCE, BUREAU OF YARDS AND DOCKS

For the labor, materials, and supplies necessary, as determined by the Secretary of the Navy, for the general maintenance of the activities and properties now or hereafter under the cognizance of the Bureau of Yards and Docks, including accident prevention, and including such sum as may be necessary incident to the utilization of the Naval Station, New Orleans, Louisiana, for vessels to be placed and maintained in a decommissioned status; the purchase, maintenance, repair, and operation of passenger-carrying vehicles for the Navy Department (not to exceed ten in number) and the Naval Establishment not otherwise provided for; not to exceed \$1,550,000 for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department, and part-time or intermittent employment in the District of Columbia, or elsewhere, of such engineers and architects as may be

General maintenance, etc.

New Orleans, La., Naval Station, utilization.  
Vehicles.

Group IV (b) employees.

*Provisos.*  
Limitation on vehicle purchases.

Maintenance, operation, repair, etc.

contracted for by the Secretary of the Navy, in his discretion, at a rate of pay not exceeding \$25 per diem for any person so employed and payment of the travel expenses of such persons if they be members of the Naval Reserve ordered to active duty, \$8,530,000: *Provided*, That during the fiscal year 1940 the motor-propelled passenger-carrying vehicles to be purchased hereunder shall not exceed the following respective numbers and costs: One at \$1,800 for the use of the Secretary of the Navy, four at \$1,600 each, ten at \$600 each, six motorbusses at \$4,500 each, and motortruck chassis with station-wagon-type bodies as required: *Provided further*, That expenditures from appropriations contained in this Act for the maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, including the compensation of civilian chauffeurs and the compensation of any greater number than ninety enlisted men detailed to such duty, shall not exceed in the aggregate \$100,000, exclusive of such vehicles owned and operated by the Marine Corps in connection with expeditionary duty without the continental limits of the United States, motorbusses, station-wagon motortrucks, and motorcycles, and on any one vehicle, except busses and ambulances, shall not exceed for maintenance, upkeep, and repair, exclusive of garage rent, pay of operators, tires, fuel, and lubricants, one-third of the market price of a new vehicle of the same make or class, and in any case not more than \$400.

#### CONTINGENT, BUREAU OF YARDS AND DOCKS

Contingent expenses.

For contingent expenses and minor extensions and improvements of public works at navy yards and stations, \$140,000.

#### PUBLIC WORKS, BUREAU OF YARDS AND DOCKS

Public works, etc.  
Use of unexpended balances.

*Ante*, p. 591.

*Provisos.*  
Amount immediately available.  
Personal services.

Construction, etc., of authorized projects.

Additional base facilities.  
*Ante*, p. 590.

For public works and public utilities, Bureau of Yards and Docks, \$55,328,550, which, together with the unexpended balances of appropriations heretofore made under this head, shall be disbursed and accounted for in accordance with existing law and shall constitute one fund, which fund shall be available for the payment of obligations incurred under the provisions of sections 3 and 4 of the Act approved April 25, 1939 (Public, Numbered 43, Seventy-sixth Congress), insofar as they relate to naval public works and utilities projects and for part-time and intermittent employment by contract of scientists, technicians, and other personnel and payment of travel expenses of members of the Naval Reserve ordered to active duty: *Provided*, That of the amount herein appropriated under this head \$10,000,000 shall be immediately available: *Provided further*, That not to exceed 2½ per centum of the aggregate amount available on July 1, 1939, shall be available for the employment of classified personal services in the Bureau of Yards and Docks and in the field service to be engaged upon such work and to be in addition to employees otherwise provided for: *Provided further*, That the Secretary of the Navy is authorized to commence, continue, or complete the construction of, or make provision for, by contract or otherwise, projects heretofore authorized and appropriated for under this head, and, in addition, the following-named public works and public utilities projects at a limit of cost not to exceed the amount stated for each project enumerated, respectively:

Base facilities, Navy: Additional facilities as authorized by the Act approved April 25, 1939 (Public, Numbered 43, Seventy-sixth Congress), including the acquisition of land and the construction of buildings and accessories, at or in the vicinity of Kaneohe Bay, Hawaii; Midway Island; Johnston Island; Palmyra Island; Kodiak,

Alaska; Sitka, Alaska; San Juan, Puerto Rico; Pensacola, Florida; Jacksonville, Florida; Banana River, Florida; Pearl Harbor, Hawaii; and Tongue Point, Oregon; and the acquisition of land at Norfolk, Virginia, and Quonset Point, Rhode Island, \$63,000,000;

Navy Yard, Portsmouth, New Hampshire: Outside machine and pipe shop and accessories for new ship construction, \$225,000; additional power generation and distribution, \$555,000; accessory construction for new shipbuilding ways, \$106,000; special high-speed weight-handling equipment for new ship construction, \$100,000;

Portsmouth, N. H.,  
Navy Yard.

Navy Yard, Boston, Massachusetts: Extension of machine shop and accessories and incidental work for ship construction, \$735,000; two shipway cranes for ship construction, \$125,000; special high-speed weight-handling equipment for new ship construction, \$185,000;

Boston, Mass.,  
Navy Yard.

Navy Yard, New York, New York: Completion of shipways numbered 2 for forty-five thousand-ton battleship, \$1,400,000; additional power generation for new ship construction, \$200,000; special high-speed weight-handling equipment for ship construction, \$110,000; improvement of berths 11 and 12 and pier "G" to facilitate berthing ships under three hundred and fifty-ton crane, \$750,000; turret and erection shop buildings and accessories and facilities, including purchase of land, \$3,300,000;

New York, N. Y.,  
Navy Yard.

Navy Yard, Philadelphia, Pennsylvania: Material assembly shop and accessories for new ship construction and power-service lines, \$460,000; improvement of pier numbered 2 and fitting-out pier numbered 5 to facilitate new ship construction, \$510,000; improvement of shipways numbered 2 for the construction of a forty-five-thousand-ton battleship, \$560,000;

Philadelphia, Pa.,  
Navy Yard.

Naval Academy, Annapolis, Maryland: Improvement of power plant, \$350,000;

Naval Academy,  
Annapolis, Md.

Navy Yard, Washington, District of Columbia: Centralized offices and drafting rooms, \$825,000; extension of power distribution for naval ordnance construction, \$200,000; foundry storage facilities, \$30,000;

Washington, D. C.,  
Navy Yard.

Navy Yard, Washington (Bellevue), District of Columbia: Fuse loading plant building and accessories for new ship ammunition, \$200,000; extension of storehouses numbered 2 and 4 for storage of ordnance material and equipment, \$200,000; railroad brow and extension of railroad tracks for car handling, \$40,000; weight handling and transportation equipment, \$60,000;

Navy Yard, Norfolk, Virginia: Storehouse and accessories for battleship materials and equipment, \$225,000; subassembly building and accessories for new ship construction, \$600,000; additional power generation and distribution for new ship construction, \$1,025,000; railroad cars for handling shipbuilding materials, \$80,000;

Norfolk, Va., Navy  
Yard.

Naval Operating Base, Norfolk, Virginia: Improvement of heating plant, \$100,000;

Naval Operating  
Base.

Navy Yard, Charleston, South Carolina: Plate storage yard and pickling plant for new ship construction materials, \$105,000; completion of shipbuilding facilities, \$262,000; drydock crane, \$135,000; improvement and rearrangement of existing shops, \$123,000; labor-board building, \$50,000; riggers and laborers shop building (to replace structure destroyed by fire on May 2, 1939), \$150,000; two fifteen-ton shipbuilding cranes, \$150,000;

Charleston, S. C.,  
Navy Yard.

Navy Yard, Puget Sound, Washington: Provision of additional office space for new ship design drafting rooms, \$60,000;

Puget Sound,  
Wash., Navy Yard.

Navy Yard, Mare Island, California: Accessory construction for drydock numbered 3, \$500,000;

Mare Island, Calif.,  
Navy Yard.

Fourteenth Naval District: Mooring facilities, \$125,000; improvement of channels and harbors, \$1,000,000;

Fourteenth Naval  
District.

Pearl Harbor, Hawaii, Navy Yard.

Navy Yard, Pearl Harbor, Hawaii: Purchase of land, \$165,000; barracks and mess hall and accessories for enlisted men, \$225,000; roads, walks, and services, \$50,000;

Guantanamo, Cuba, Naval Station.

Naval Station, Guantanamo, Cuba: Improvement of piers, \$190,000;

Annapolis, Md., Naval Radio Station. *Proviso.* Acquisition of land; conditions. *Ante*, p. 638.

Naval Radio Station, Annapolis, Maryland: Facilities, including buildings, accessories, and submarine cable, \$162,000: *Provided*, That the appropriation contained in the Second Deficiency Appropriation Act, fiscal year 1939, for the acquisition of land for such station shall not be available for the acquisition, free from all encumbrances, of less than three hundred and two and twenty-five one-hundredths acres;

New London, Conn., Submarine Base.

Submarine Base, New London, Connecticut: Replacement, repair, and improvement of facilities and electric system on or adjacent to piers, \$225,000;

Coco Solo, C. Z., Submarine Base.

Submarine Base, Coco Solo, Canal Zone: Barracks, mess hall, laundry, and boiler plant buildings and accessories, \$975,000;

Mare Island, Calif., Naval Ammunition Depot.

Naval Ammunition Depot, Mare Island, California: Additional ammunition storage facilities for ships under construction, \$275,000;

Newport, R. I., Naval Torpedo Station.

Naval Torpedo Station, Newport, Rhode Island: Extension of assembly building and accessories for torpedoes for ships under construction, \$670,000; extension of automatic machine shop for construction of torpedoes for new ships, \$275,000; improvement of electric-distribution system, Gould Island, \$25,000;

Philadelphia, Pa., Naval Aircraft Factory.

Naval Aircraft Factory, Philadelphia, Pennsylvania: Aeronautical engine and materials laboratory buildings and equipment, \$2,000,000;

Coco Solo, C. Z., Fleet Air Base.

Fleet Air Base, Coco Solo, Canal Zone: Quarters and accessories for officers, \$200,000; roads, walks, and services, \$57,000;

Alameda, Calif., Naval Air Station. 49 Stat. 1901.

Naval Air Station, Alameda, California: To continue the development authorized by the Act approved June 24, 1936 (49 Stat., pp. 1901, 1902), as amended, \$4,318,000;

Quantico, Va., Marine Barracks.

Marine Barracks, Quantico, Virginia: Replace buildings, \$750,000.

## BUREAU OF AERONAUTICS

### AVIATION, NAVY

Designated aviation expenses.

For aviation, as follows: For navigational, photographic, aerological, radio, and miscellaneous equipment, including repairs thereto, for use with aircraft built or building on June 30, 1939, \$1,500,000; for maintenance, repair, and operation of aircraft factory, air stations, fleet air bases, fleet and all other aviation activities, accident prevention, testing laboratories, overhauling of planes, technical periodicals, and the purchase for aviation purposes only of special clothing, wearing apparel, and special equipment, \$24,900,000, including not to exceed \$50,000 for the procurement of helium, which sum of \$50,000 shall be transferred to and made available to the Bureau of Mines on July 1, 1939, in addition to which sum the Bureau of Mines may use for helium-plant operation in the fiscal year 1940 the unexpended balance of funds transferred to it for such operation in the fiscal year 1939, and the Bureau may lease, after competition, surplus metal cylinders acquired for use as helium containers; for continuing experiments and development work on all types of aircraft, including the payment of part-time or intermittent employment in the District of Columbia or elsewhere of such scientists and technicians as may be contracted for by the Secretary of the Navy, in his discretion, at a rate of pay not exceeding \$20 per diem for any person so employed and payment of the travel expenses of such persons if they be members of the Naval Reserve ordered to active duty, \$9,500,000;

Helium. *Ante*, p. 724.

Experiments and development work.

for new construction and procurement of aircraft and equipment, spare parts and accessories, \$46,898,000, of which amount not to exceed \$15,000,000 shall be available for the payment of obligations incurred under the contract authorization carried in the Navy Appropriation Act for the fiscal year 1939; in all, \$82,798,000, and the money herein specifically appropriated for "Aviation" shall be disbursed and accounted for in accordance with existing law and shall constitute one fund: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$1,966,500: *Provided further*, That in addition to the amount herein appropriated, the Secretary of the Navy may, prior to July 1, 1941, enter into contracts for the production and purchase of new airplanes and their equipment, spare parts and accessories, to an amount not in excess of \$20,000,000: *Provided further*, That the Secretary of the Treasury is authorized and directed, upon the request of the Secretary of the Navy, to transfer not to exceed in the aggregate \$50,000 from this appropriation to the appropriations "Pay, subsistence, and transportation, Navy" and "Pay, Marine Corps" to cover authorized traveling expenses of officers and enlisted men in connection with flying new airplanes from contractor's works to assigned station or ship, including travel to contractor's works and return of personnel to stations of duty, and the amount so transferred shall be in addition to any limitations contained in the appropriations "Pay, subsistence, and transportation, Navy" and "Pay, Marine Corps": *Provided further*, That no part of this appropriation shall be used for the construction of a factory for the manufacture of airplanes: *Provided further*, That the Secretary of the Navy is hereby authorized to consider, ascertain, adjust, determine, and pay out of this appropriation the amounts due on claims for damages which have occurred or may occur to private property growing out of the operations of naval aircraft where such claim does not exceed the sum of \$500.

New construction, etc.

Incurred obligations.

Aggregate; accounting.

*Provisos.*  
Group IV (b) employees.

Contracts for new airplanes, etc.

Transfer of sums for traveling expenses.

Airplane factory construction forbidden.

Adjustment of damage claims.

## MARINE CORPS

### PAY, MARINE CORPS

Pay of officers, active list: For pay and allowances prescribed by law for all officers on the active list—pay and allowance, \$4,488,083, including not to exceed \$263,994 for increased pay for making aerial flights, none of which shall be available for increased pay for making aerial flights by nonflying officers at a rate in excess of \$1,440 per annum, which shall be the legal maximum rate as to such nonflying officers; subsistence allowance, \$637,728; rental allowance, \$799,735; in all, \$5,925,546; and no part of such sum shall be available to pay active-duty pay and allowances to officers on the retired list;

For pay of officers prescribed by law on the retired list, \$1,739,000;

Pay of enlisted men, active list: For pay and allowances of non-commissioned officers, musicians, and privates, as prescribed by law, and for the expenses of clerks of the United State Marine Corps traveling under orders, including not to exceed \$250 for the expenses of attendance upon meetings of technical, professional, scientific, and other organizations, when, in the judgment of the Secretary of the Navy, such attendance would be of benefit in the conduct of the work of the Marine Corps, and including additional compensation for enlisted men of the Marine Corps qualified as expert riflemen, sharpshooters, marksmen, or regularly detailed as gun captains, gun pointers, cooks, messmen, including interest on deposits by enlisted

Pay, etc., officers on active list.  
*Post*, p. 1322.  
Aerial flights, limitation on increased pay for.

Allowances.

Retired officers.  
Enlisted men, active list.

Attendance at meetings.



men, post-exchange debts of deserters, and of men discharged or sentenced to terms of imprisonment while in debt to the United States, under such rules as the Secretary of the Navy may prescribe, and the authorized travel allowance of discharged enlisted men, and for prizes for excellence in gunnery exercises and target practices, and communication competitions, and for pay of enlisted men designated as Navy mail clerks and assistant Navy mail clerks both afloat and ashore, and for gratuities to enlisted men discharged not under honorable conditions—pay and allowances, \$9,192,143; allowance for lodging and subsistence, \$735,848; in all, \$9,927,991;

Pay and allowances. For pay and allowances prescribed by law of enlisted men on the retired list, \$877,481;

Retired enlisted men. Undrawn clothing: For payment to discharged enlisted men for clothing undrawn, \$208,850;

Marine Corps Reserve. For pay and allowances of the Marine Corps Reserve (a) excluding transferred and assigned men, \$1,000,913; (b) transferred and assigned men, \$534,219; in all, \$1,535,132;

Mileage, etc. For mileage and actual and necessary expenses and per diem in lieu of subsistence as authorized by law to officers traveling under orders without troops, \$175,000;

Aggregate; accounting. In all, \$20,389,000, and the money herein specifically appropriated for pay of the Marine Corps shall be disbursed and accounted for in accordance with existing law and shall constitute one fund.

#### PAY OF CIVIL EMPLOYEES, MARINE CORPS

Civil force. Pay of civil force: For personal services in the District of Columbia, as follows:

Offices of the Major General Commandant and adjutant inspector, \$136,200;

Office of the paymaster, \$48,700;

Office of the quartermaster, \$152,920; in all, \$337,820: *Provided*, That the total number of enlisted men on duty at Marine Corps Headquarters on May 7, 1930, shall not be increased, and in lieu of enlisted men whose services at such headquarters shall be terminated for any cause prior to July 1, 1940, their places may be filled by civilians, for the pay of whom, in accordance with the Classification Act of 1923, as amended, either or both the appropriations "Pay, Marine Corps" and "General expenses, Marine Corps" shall be available.

*Proviso.*  
Number of enlisted men at headquarters.

Filling of vacancies by civilians; pay rates.  
5 U. S. C. §§ 661-674; Supp. IV, §§ 673, 673c.

#### GENERAL EXPENSES, MARINE CORPS

General expenses. For every expenditure requisite for, and incident to, the authorized work of the Marine Corps, other than as appropriated for under the headings of pay and salaries, as follows:

Provisions, etc. For provisions, subsistence, board, and lodging of enlisted men, recruits and recruiting parties, and applicants for enlistment; cash allowance for lodging and subsistence to enlisted men traveling on duty; ice, ice machines and their maintenance, \$2,961,255;

Clothing. For clothing for enlisted men, \$1,125,000;

Fuel, etc. For fuel, heat, light, and power, including sales to officers, \$635,000;

Military supplies, etc. For military supplies and equipment, including their purchase, repair, preservation, and handling; recreational, school, educational, library, musical, amusement, field sport and gymnasium supplies, equipment, services, and incidental expenses; purchase and marking of prizes for excellence in gunnery and rifle practice, good-conduct badges, medals, and buttons awarded to officers and enlisted men by the Government for conspicuous, gallant, and special service; rental and maintenance of target ranges and entrance fees for competitions, \$940,000;

Transportation, etc. For transportation of troops and applicants for enlistment, including cash in lieu of ferriage and transfers en route; toilet kits for issue

to recruits upon their first enlistment and other incidental expenses of the recruiting service; and for transportation for dependents of officers and enlisted men, \$340,000;

For repairs and improvements to barracks, quarters, and other public buildings at posts and stations; for the renting, leasing, and improvement of buildings in the District of Columbia, and at such other places as the public exigencies require, and the erection of temporary buildings upon the approval of the Secretary of the Navy at a total cost of not to exceed \$10,000 during the year, \$690,000;

For forage and stabling of public animals and the authorized number of officers' horses, \$16,000;

For miscellaneous supplies, material, equipment, personal and other services, and for other incidental expenses for the Marine Corps not otherwise provided for; purchase, repair, and exchange of typewriters and calculating machines; purchase and repair of furniture and fixtures; repair of motor-propelled passenger-carrying vehicles; and purchase, exchange, and repair of horse-drawn passenger-carrying and other vehicles, including parts; veterinary services and medicines for public animals and the authorized number of officers' horses; purchase of mounts and horse equipment for all officers below the grade of major required to be mounted; shoeing for public animals and the authorized number of officers' horses; books, newspapers, and periodicals; printing and binding; packing and crating of officers' allowance of baggage; funeral expenses of officers and enlisted men and accepted applicants for enlistment and retired officers on active duty, including the transportation of their bodies, arms, and wearing apparel from the place of demise to the homes of the deceased in the United States; construction, operation, and maintenance of laundries; care and operation of schools at Marine Barracks, Quantico, Virginia, and Parris Island, South Carolina; and for all emergencies and extraordinary expenses, \$2,212,000: *Provided*, That there may be expended out of this appropriation (including the exchange value of any vehicle that may be used as part payment) for the purchase of motor-propelled passenger-carrying vehicles, the gross cost of any one vehicle not to be in excess of the respective amounts as follows: Eight at \$750 each; and five motorcycles at \$425 each;

Marine Corps Reserve: For clothing, including clothing for aviation cadets, subsistence, heat, light, transportation, and miscellaneous expenses, \$300,000;

Expenses, Marine Band, United Confederate Veterans' Reunion, Trinidad, Colorado, and National Encampment, Grand Army of the Republic, Pittsburgh, Pennsylvania: For expenses of the United States Marine Band in attending the United Confederate Veterans' 1939 Reunion at Trinidad, Colorado, August 22 to 25, 1939, and in attending the National Encampment of the Grand Army of the Republic, Pittsburgh, Pennsylvania, August 27 to September 1, 1939, as authorized by the Acts approved April 20, 1939, and April 24, 1939, \$13,000;

In all, \$9,232,255, to be accounted for as one fund: *Provided*, That the sum to be paid out of this appropriation for employees assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed \$115,000.

#### ALTERATION TO NAVAL VESSELS

Toward the alterations and repairs required for the purpose of modernizing the United States ships *Lexington* and *Saratoga*, authorized by the Act entitled "An Act to authorize alterations and repairs to certain naval vessels, and for other purposes", approved

Dependents.

Repairs, etc., to barracks, quarters, etc.

Forage, etc.

Miscellaneous supplies, etc.

Vehicles, etc.

Horses, etc.

Printing and binding.  
Funeral expenses.

Laundries.

*Proviso.*  
Purchase of vehicles.

Marine Corps Reserve.

Marine Band, expenses in attending designated meetings.

*Anfr*, pp. 582, 590.

Accounting.  
*Proviso.*  
Group IV (b) employees.

U.S.S. "*Lexington*" and "*Saratoga*", alterations and repairs.  
*Post*, p. 1322.

52 Stat. 688.

*Proviso.*  
Group IV (b) employees.

June 15, 1938 (52 Stat. 688), \$4,000,000, to remain available until expended: *Provided*, That the sum to be paid out of the amount available for expenditure under this head for the fiscal year 1940 for employees in the field service assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed 5 per centum of the aggregate amount available under this heading on July 1, 1939.

#### REPLACEMENT OF NAVAL VESSELS

Construction and machinery.

Commencement of designated vessels.  
52 Stat. 401.

*Provisos.*  
Group IV (b) employees.

Technical services, etc.

Armor, armament, and ammunition.  
*Post*, p. 1322.

*Proviso.*  
Group IV (b) employees.

Designated appropriations not available for ships commissioned prior to July 1, 1938.

Construction and machinery: On account of hulls and outfits of vessels and machinery of vessels heretofore authorized (and appropriated for in part), and for the commencement of the following vessels authorized by the Act approved May 17, 1938 (52 Stat. 401-403), two battleships, two cruisers of subcategory (b), eight destroyers, eight submarines, two small seaplane tenders, and one repair ship, \$207,593,712, to remain available until expended: *Provided*, That the sum to be paid out of the amount available for expenditure under the head of "Construction and machinery" for the fiscal year 1940 for employees in the field service assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed 5 per centum of the aggregate amount available under this heading on July 1, 1939: *Provided further*, That, of the appropriations made available by this Act under the head of "Replacement of naval vessels", there shall be available such sums as the Secretary of the Navy may from time to time determine to be necessary for the engagement of technical services, and the employment of personnel in the Navy Department and in the field, the purchase of plans, drafting and other supplies, telephone and telegraph expenses, and the expenses of printing and travel, in addition to those otherwise provided for, owing to the construction of vessels which have been or may hereafter be authorized.

Armor, armament, and ammunition: Toward the armor, armament, and ammunition for vessels hereinbefore described under the head of "Construction and machinery", \$46,011,000, to remain available until expended: *Provided*, That the sum to be paid out of the amount available for expenditure under this head for the fiscal year 1940 for employees in the field service assigned to group IV (b) and those performing similar services carried under native and alien schedules in the Schedule of Wages for Civil Employees in the Field Service of the Navy Department shall not exceed 5 per centum of the aggregate amount available under this heading on July 1, 1939.

Neither the appropriation "Replacement of naval vessels, construction and machinery", nor the appropriation "Replacement of naval vessels, armor, armament, and ammunition", shall be available for obligation for any purpose as to ships commissioned prior to July 1, 1938, nor as to any ship commissioned subsequent to such date after twelve months shall have elapsed from commissioning date.

#### GENERAL PROVISIONS

Purchase of letters patent, etc.

The appropriations made in this Act for the purchase or manufacture of equipment or material or of a particular class of equipment or material shall be available for the purchase of letters patent, applications for letters patent, licenses under letters patent, and applications for letters patent that pertain to such equipment or material for which the appropriations are made.

No part of any appropriation made for the Navy shall be expended for any of the purposes herein provided for on account of the Navy Department in the District of Columbia, including personal services of civilians and of enlisted men of the Navy, except as herein expressly authorized: *Provided*, That there may be detailed to the Bureau of Navigation not to exceed at any one time seven enlisted men of the Navy: *Provided further*, That enlisted men detailed to the Naval Dispensary and the Radio Communication Service shall not be regarded as detailed to the Navy Department in the District of Columbia.

No part of the appropriations made in this Act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person or persons having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch or other time-measuring device a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this Act be available to pay any premiums or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant; and no part of the moneys herein appropriated for the Naval Establishment or herein made available therefor shall be used or expended under contracts hereafter made for the repair, purchase, or acquirement, by or from any private contractor, of any naval vessel, machinery, article, or articles that at the time of the proposed repair, purchase, or acquirement can be repaired, manufactured, or produced in each or any of the Government navy yards or arsenals of the United States, when time and facilities permit, and when, in the judgment of the Secretary of the Navy, such repair, purchase, acquirement, or production would not involve an appreciable increase in cost to the Government, except when the repair, purchase, or acquirement, by or from any private contractor, would, in the opinion of the Secretary of the Navy, be advantageous to the national defense: *Provided*, That nothing herein shall be construed as altering or repealing the provisos contained in the Acts to authorize the construction of certain naval vessels, approved February 13, 1929, and March 27, 1934, which provide that the first and succeeding alternate vessels in each category, except the fifteen-thousand-ton aircraft carrier, upon which work is undertaken, together with the main engines, armor, and armament, shall be constructed or manufactured in the Government navy yards, naval gun factories, naval ordnance plants, or arsenals of the United States, except such material or parts as are not customarily manufactured in such Government plants.

No part of the funds herein appropriated shall be available to pay a contractor upon any contract for a naval vessel entered into under authority of this Act unless, at the time of filing his bid, he shall also file the estimates upon which such bid was based.

## NAVY DEPARTMENT

### SALARIES

For compensation for personal services in the District of Columbia, as follows:

Office of the Secretary of the Navy: Secretary of the Navy, Assistant Secretary of the Navy, and other personal services, \$202,570.  
General Board, \$12,220.

Naval examining and retiring boards, \$12,360.

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Department use limited.

*Provisos.*  
Details to Bureau of Navigation.  
Designated details not regarded as details to Department.

No pay to officer, etc., using time-measuring device on work of employee.

Cash rewards prohibited; exception.

Repairs, etc., other than at navy yards, etc., restriction.

Exception.

*Proviso.*  
Construction, first and alternate vessels at Government yards, etc.  
45 Stat. 1165; 48 Stat. 503.  
34 U. S. C. § 495.

Estimates to accompany bids.

Salaries.

Office of Secretary, and other designated offices, etc.

Compensation board, \$7,040.

Office of Naval Records and Library, \$34,360.

Office of Judge Advocate General, \$126,620.

Office of Chief of Naval Operations, \$76,500.

Board of Inspection and Survey, \$20,560.

Office of Director of Naval Communications, \$142,000.

Office of Naval Intelligence, \$80,000.

Bureau of Navigation, \$494,000.

Hydrographic Office, \$417,000.

American Ephemeris, etc.

Naval Observatory, including \$2,500 for pay of computers on piece-work in preparing for publication the American Ephemeris and Nautical Almanac and in improving the tables of the planets, moon, and stars, \$178,120.

Bureau of Engineering, \$310,480.

Bureau of Construction and Repair, \$347,479.

Bureau of Ordnance, \$150,000.

Bureau of Supplies and Accounts, \$812,680.

Bureau of Medicine and Surgery, \$102,270.

Bureau of Yards and Docks, \$276,000.

Bureau of Aeronautics.

*Providos.*  
Aircraft design and construction work.

Limitation on expenditure.

Bureau of Aeronautics, \$360,400: *Provided*, That the services of technical and clerical personnel may be employed only in the Bureau of Aeronautics in connection with the design and construction of aircraft, to be paid from the appropriation "Aviation, Navy, 1940": *Provided further*, That the expenditures on this account for the fiscal year 1940 shall not exceed \$89,400.

In all, salaries, Navy Department, \$4,162,659.

Salaries limited to average rates under Classification Act.

5 U. S. C. §§ 661-674;  
Supp. IV, §§ 673, 673c.  
Exception.

In expending appropriations or portions of appropriations contained in this Act, for the payment for personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, with the exception of the Assistant Secretaries of the Navy, the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

*Proviso.*  
Restriction not applicable to clerical-mechanical service.  
No reduction in fixed salaries.  
5 U. S. C. § 666.  
Transfer without reduction.

Payment under higher rate.

If only one position in a grade.

#### CONTINGENT EXPENSES

Contingent expenses.

For professional and technical books and periodicals, lawbooks, and necessary reference books, including city directories, railway guides, freight, passenger, and express tariff books and photostating, for

Department library; for purchase of photographs, maps, documents, and pictorial records of the Navy, photostating and other necessary incidental expenses in connection with the preparation for publication of the naval records of the war with the Central Powers of Europe; for stationery, furniture, newspapers, plans, drawings, and drawing materials; purchase and exchange of motortrucks or motor-delivery wagons, maintenance, repair, and operation of motortrucks or motor-delivery wagons; garage rent; streetcar fares; freight, expressage, postage, typewriters, and computing machines, and other absolutely necessary expenses of the Navy Department and its various bureaus and offices, \$148,000: *Provided*, That it shall not be lawful to expend, unless otherwise specifically provided herein, for any of the offices or bureaus of the Navy Department in the District of Columbia, any sum out of appropriations made for the naval service for any of the purposes mentioned or authorized in this paragraph.

Naval records of World War.

*Proviso.*  
Naval service appropriations not to be used for Department expenses; exception.

#### PRINTING AND BINDING

For printing and binding for the Navy Department and the Naval Establishment (including the Hydrographic Office and the Naval Reserve Officers' Training Corps) executed at the Government Printing Office, \$600,000.

Printing and binding.

#### PRINTING HISTORICAL AND NAVAL DOCUMENTS

For continuing the printing of historical and naval documents, including composition, clerical copying in the Navy Department, and other preparatory work, in accordance with the provisions of the appropriation made for the commencement of this work as contained in the Naval Appropriation Act for the fiscal year 1935, \$12,000, together with the unexpended balance for this purpose for the fiscal year 1939: *Provided*, That nothing in such Act shall preclude the Public Printer from furnishing one hundred and fifty copies of each volume published to the Library of Congress.

Historical and naval documents.

48 Stat. 414.  
Unexpended balance reappropriated.  
*Proviso.*  
Copies to Library of Congress.

#### CONTINGENT AND MISCELLANEOUS EXPENSES, HYDROGRAPHIC OFFICE

For purchase and printing of nautical books, charts, and sailing directions, copper plates, steel plates, chart paper, packing boxes, chart portfolios, electrotyping copper plates, cleaning copper plates; tools, instruments, power, and material for drawing, engraving, and printing; materials for and mounting charts; reduction of charts by photography; photolithographing charts for immediate use; transfer of photolithographic and other charts to copper; purchase of equipment for the storage of plates used in making charts and for the storage of Hydrographic Office charts and publications; modernization, care, and repair to printing presses, furniture, instruments, and tools; extra drawing and engraving; translating from foreign languages; telegrams on public business; preparation of pilot charts and their supplements, and printing and mailing same; purchase of data for charts and sailing directions and other nautical publications; books of reference and works and periodicals relating to hydrography, marine meteorology, navigation, surveying, oceanography, and terrestrial magnetism, and to other professional and technical subjects connected with the work of the Hydrographic Office, \$62,000.

Contingent and miscellaneous expenses.

Charts, etc.

For contingent expenses of branch hydrographic offices at Boston, New York, Philadelphia, Baltimore, Norfolk, Savannah, New Orleans, San Francisco, Portland (Oregon), Portland (Maine), Chicago, Cleveland, Detroit, Buffalo, Duluth, Sault Sainte Marie, Seattle, Panama, San Juan (Puerto Rico), Los Angeles, Honolulu, and Gal-

Branch offices.

veston, including furniture, fuel, lights, works and periodicals, relating to hydrography, marine meteorology, navigation, surveying, oceanography and terrestrial magnetism, stationery, miscellaneous articles, rent, and care of offices, care of time balls, carfare and ferriage in visiting merchant vessels, freight and express charges, telegrams, and other necessary expenses incurred in collecting the latest information for pilot charts, and for other purposes for which the offices were established, \$11,380.

For services of necessary employees at branch offices, \$48,210.

#### CONTINGENT AND MISCELLANEOUS EXPENSES, NAVAL OBSERVATORY

Contingent and miscellaneous expenses.

For professional and scientific books, books of reference, periodicals, engravings, photographs, and fixtures for the library; for apparatus and instruments, and for repairs of the same; for repairs to buildings (including quarters), fixtures, and fences; for cleaning, repair, and upkeep of grounds and roads; furniture and furnishings for offices and quarters, gas, chemicals, paints, and stationery, including transmission of public documents through the Smithsonian exchange, foreign postage; plants, seeds, and fertilizers; for fuel, oil, grease, pipe, wire, and other materials needed for the maintenance and repair of boilers, engines, heating apparatus, electric lighting and power, and water supply; purchase and maintenance of teams; maintenance, repair, and operation of motortrucks and passenger automobiles, and of horse-drawn vehicles; telegraph and telephone service; and other absolutely necessary expenses, \$25,485.

Government-owned automobiles.  
Use restricted to official business.

Transportation between domicile and place of employment.

SEC. 2. No part of any money appropriated by this Act shall be used for maintaining, driving, or operating any Government-owned motor-propelled passenger-carrying vehicle not used exclusively for official purposes; and "official purposes" shall not include the transportation of officers and employees between their domiciles and places of employment except in cases of medical officers on out-patient medical service and except in cases of officers and employees engaged in field work the character of whose duties makes such transportation necessary and then only as to such latter cases when the same is approved by the head of the Department. This section shall not apply to any motor vehicle for official use of the Secretary of the Navy, and no other persons connected with the Navy Department or the naval service, except the commander in chief of the United States Asiatic Fleet, Marine Corps officers serving with expeditionary forces in foreign countries, and medical officers on out-patient medical service, shall have a Government-owned motor vehicle assigned for their exclusive use.

Exceptions.

Approved, May 25, 1939.

#### [CHAPTER 150]

#### AN ACT

May 26, 1939  
[S. 1679]

[Public, No. 91]

To extend the time during which orders and marketing agreements under the Agricultural Adjustment Act, as amended, may be applicable to hops.

Agricultural Adjustment Act, amendment.

52 Stat. 215.  
7 U. S. C., Supp.  
IV, § 608c-1.

Time extended in which orders, etc., under, may be applicable to hops.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 3 of the Act entitled "An Act to amend the Agricultural Adjustment Act, as amended, by including hops as a commodity to which orders under such Act are applicable", approved April 13, 1938, is amended to read as follows:

"SEC. 3. No orders issued pursuant to section 8c of the Agricultural Adjustment Act, as amended, shall be applicable to hops after September 1, 1942."

Approved, May 26, 1939.

## [CHAPTER 151]

## AN ACT

To amend the Act of March 2, 1929 (45 Stat. 1492), entitled "An Act to establish load lines for American vessels, and for other purposes."

May 26, 1939  
[S. 1583]  
[Public, No. 92]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 1 of the Act of March 2, 1929 (45 Stat. 1492; U. S. C., 1934 edition, title 46, sec. 85), entitled "An Act to establish load lines for American vessels, and for other purposes", is amended to read as follows:

"Load lines are hereby established for the following vessels:

"(a) Merchant vessels of one hundred and fifty gross tons or over, loading at or proceeding to sea from any port or place within the United States or its possessions for a foreign voyage by sea, the Great Lakes excepted.

"(b) Merchant vessels of the United States of one hundred and fifty gross tons or over, loading at or proceeding to sea from any foreign port or place for a voyage by sea, the Great Lakes excepted.

"(c) This Act shall not apply to merchant vessels that are being towed and which are carrying neither cargo nor passengers."

SEC. 2. That section 8 (c) of the Act of March 2, 1929 (45 Stat. 1494; U. S. C., 1934 edition, title 46, sec. 85g (c)), is amended to read as follows:

"If any person shall knowingly permit or cause or attempt to cause any vessel subject to this Act and to the regulations established thereunder to depart, or if, being the owner, manager, agent, or master of such vessel, he shall fail to take reasonable care to prevent her from departing from her loading port or place when loading in violation of section 4, or if any person shall knowingly permit or cause or attempt to cause a foreign vessel exempted pursuant to section 5 to depart, or if, being the owner, manager, agent, or master of such vessel, he shall fail to take reasonable care to prevent her from departing from her loading port or place when loaded more deeply than permitted by the laws and regulations of the country to which she belongs, he shall, in respect of each offense, be liable to the United States in a penalty of \$500. The Secretary of Commerce may, in his discretion, remit or mitigate any penalty imposed under this paragraph."

Approved, May 26, 1939.

Shipping.

45 Stat. 1492.  
46 U. S. C. § 85.

Load lines established.

Merchant vessels loading at or proceeding to sea from ports within United States.

American vessels at foreign ports.

Vessels being towed carrying neither cargo nor passengers.

45 Stat. 1494.  
46 U. S. C. § 85g (c).

Penalties for violations, etc.

Remission or mitigation of penalty.

## [CHAPTER 152]

## AN ACT

To authorize the transfer to the State of Minnesota of the Fort Snelling Bridge at Fort Snelling, Minnesota.

May 26, 1939  
[H. R. 1774]  
[Public, No. 93]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War be, and he is hereby, authorized to quitclaim to the State of Minnesota the right, title, and interest of the United States in the Fort Snelling Bridge across the Mississippi River at Fort Snelling, Minnesota, and the site of the bridge, approach, and abutment thereof in the county of Ramsey, acquired by the United States by decree of the United States district court dated May 23, 1908, recorded in the office of register of deeds for Ramsey County, Minnesota, in book 541 of deeds at page 193, including that certain easement on and across the right-of-way of the Chicago, Milwaukee and St. Paul Railway Company in Hennepin County, acquired by decree dated October 6, 1909, recorded in the office of register of deeds for Hennepin County, Minnesota, in book 123 of miscellany, page 573, and an easement in lands forming the site of the abutment and bridge end on the Fort Snelling Military Reservation for so long as the bridge as now located, or as may be rebuilt or replaced with a new

Fort Snelling Bridge.  
Transfer of Federal title, etc., to State of Minnesota authorized.

Easements included.



<i>Provisos.</i> Conditions.	bridge, is maintained and used as a public bridge on said site: <i>Provided</i> , That the said conveyance shall be subject to the rights of those who contributed to the funds out of which said bridge was originally constructed as provided in the Act of Congress approved March 17, 1906 (34 Stat. 66), and also subject to the State of Minnesota keeping said bridge in repair for use as a public bridge and as a part of its trunk highway system until by mutual agreement between the State of Minnesota and the United States a new bridge shall be constructed reasonably near the site of the present bridge: <i>Provided further</i> , That the United States shall have the right to use the bridge or any new bridge which replaces it for the support of Government water mains and other utilities serving said reservation of the United States, and for all traffic to and from said reservation, free of tolls or other charges: <i>And provided further</i> , That the existing bridge shall be maintained and operated in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.
34 Stat. 66.	
Rights reserved.	
Maintenance and operation.	
34 Stat. 84. 33 U. S. C. §§ 401-498.	

Approved, May 26, 1939.

#### [CHAPTER 153]

#### AN ACT

May 26, 1939 [H. R. 3593] [Public, No. 94]	Authorizing and directing the Secretary of War to execute an easement deed to the city of Duluth for park, recreational, and other public purposes covering certain federally owned lands.
Duluth, Minn. Easement to, authorized for use of certain federally owned land.	<i>Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled</i> , That the Secretary of War be, and he is hereby, authorized and empowered, under such terms and conditions as are deemed advisable by him, to grant to the city of Duluth, Minnesota, for park, recreational, and other public purposes, an easement for the use and occupation of that portion of lot 1 and all accretions or filled land adjacent thereto, including riparian rights, located in section 20, township 49 north, range 13 west, of the fourth principal meridian, county of Saint Louis, and State of Minnesota, not necessary for river and harbor purposes.
Description.	SEC. 2. Said foregoing-described property was temporarily withdrawn from settlement, location, sale, or entry, and reserved for the use of the War Department for river and harbor purposes by Executive order dated April 6, 1938.
Right reserved.	SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.
	Approved, May 26, 1939.

#### [CHAPTER 154]

#### AN ACT

May 26, 1939 [H. R. 5746] [Public, No. 95]	To provide for the correction of the list of approved Pine Ridge lost allotment claims, and for other purposes.
Sioux Indians of Pine Ridge Reservation, S. Dak. Correction of list of lost allotment claims authorized. 45 Stat. 484.	<i>Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled</i> , That the Secretary of the Interior be, and he is hereby, authorized to correct the list of nine hundred and seventy-nine Pine Ridge Sioux lost allotment claims, approved December 18, 1936, under the Act of May 3, 1928 (45 Stat. 484), by eliminating certain names erroneously placed thereon and the substitution of others in lieu thereof: <i>Provided</i> , That the total number of approved claims shall not exceed nine hundred and seventy-nine: <i>And provided further</i> , That such part of the appropriation authorized by the Act of June 29, 1937 (50 Stat. 441), as would have been used to pay those to be eliminated shall be used to pay those to be substituted.
<i>Provisos.</i> Limitation.	
Payment; funds authorized. 50 Stat. 441.	
	Approved, May 26, 1939.

## [CHAPTER 155]

## AN ACT

Giving the consent and approval of Congress to the Rio Grande compact signed at Santa Fe, New Mexico, on March 18, 1938.

May 31, 1939  
[H. R. 4997]  
[Public, No. 96]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent and approval of Congress is hereby given to the compact signed by the commissioners for the States of Colorado, New Mexico, and Texas at Santa Fe, New Mexico, on March 18, 1938, and thereafter approved by the legislatures of the States of Colorado, New Mexico, and Texas, which compact reads as follows:

Rio Grande compact.  
Consent of Congress granted to.

## RIO GRANDE COMPACT

Text.

The State of Colorado, the State of New Mexico, and the State of Texas, desiring to remove all causes of present and future controversy among these States and between citizens of one of these States and citizens of another State with respect to the use of the waters of the Rio Grande above Fort Quitman, Texas, and being moved by considerations of interstate comity, and for the purpose of effecting an equitable apportionment of such waters, have resolved to conclude a Compact for the attainment of these purposes, and to that end, through their respective Governors, have named as their respective Commissioners:

For the State of Colorado—M. C. Hinderlider

For the State of New Mexico—Thomas M. McClure

For the State of Texas—Frank B. Clayton

who, after negotiations participated in by S. O. Harper, appointed by the President as the representative of the United States of America, have agreed upon the following articles, to-wit:

## ARTICLE I.

(a) The State of Colorado, the State of New Mexico, the State of Texas, and the United States of America, are hereinafter designated "Colorado," "New Mexico," "Texas," and the "United States," respectively.

(b) "The Commission" means the agency created by this Compact for the administration thereof.

(c) The term "Rio Grande Basin" means all of the territory drained by the Rio Grande and its tributaries in Colorado, in New Mexico, and in Texas above Fort Quitman, including the Closed Basin in Colorado.

(d) The "Closed Basin" means that part of the Rio Grande Basin in Colorado where the streams drain into the San Luis Lakes and adjacent territory, and do not normally contribute to the flow of the Rio Grande.

(e) The term "tributary" means any stream which naturally contributes to the flow of the Rio Grande.

(f) "Transmountain Diversion" is water imported into the drainage basin of the Rio Grande from any stream system outside of the Rio Grande Basin, exclusive of the Closed Basin.

(g) "Annual Debits" are the amounts by which actual deliveries in any calendar year fall below scheduled deliveries.

(h) "Annual Credits" are the amounts by which actual deliveries in any calendar year exceed scheduled deliveries.

(i) "Accrued Debits" are the amounts by which the sum of all annual debits exceeds the sum of all annual credits over any common period of time.

(j) "Accrued Credits" are the amounts by which the sum of all annual credits exceeds the sum of all annual debits over any common period of time.

(k) "Project Storage" is the combined capacity of Elephant Butte Reservoir and all other reservoirs actually available for the storage of usable water below Elephant Butte and above the first diversion to lands of the Rio Grande Project, but not more than a total of 2,638,860 acre-feet.

(l) "Usable Water" is all water, exclusive of credit water, which is in project storage and which is available for release in accordance with irrigation demands, including deliveries to Mexico.

(m) "Credit Water" is that amount of water in project storage which is equal to the accrued credit of Colorado, or New Mexico, or both.

(n) "Unfilled Capacity" is the difference between the total physical capacity of project storage and the amount of usable water then in storage.

(o) "Actual Release" is the amount of usable water released in any calendar year from the lowest reservoir comprising project storage.

(p) "Actual Spill" is all water which is actually spilled from Elephant Butte Reservoir, or is released therefrom for flood control, in excess of the current demand on project storage and which does not become usable water by storage in another reservoir; provided, that actual spill of usable water cannot occur until all credit water shall have been spilled.

(q) "Hypothetical Spill" is the time in any year at which usable water would have spilled from project storage if 790,000 acre-feet had been released therefrom at rates proportional to the actual release in every year from the starting date to the end of the year in which hypothetical spill occurs; in computing hypothetical spill the initial condition shall be the amount of usable water in project storage at the beginning of the calendar year following the effective date of this Compact, and thereafter the initial condition shall be the amount of usable water in project storage at the beginning of the calendar year following each actual spill.

## ARTICLE II.

The Commission shall cause to be maintained and operated a stream gaging station equipped with an automatic water stage recorder at each of the following points, to-wit:

(a) On the Rio Grande near Del Norte above the principal points of diversion to the San Luis Valley;

(b) On the Conejos River near Mogote;

(c) On the Los Pinos River near Ortiz;

(d) On the San Antonio River at Ortiz;

(e) On the Conejos River at its mouths near Los Sauces;

(f) On the Rio Grande near Lobatos;

(g) On the Rio Chama below El Vado Reservoir;

(h) On the Rio Grande at Otowi Bridge near San Ildefonso;

(i) On the Rio Grande near San Acacia;

(j) On the Rio Grande at San Marcial;

(k) On the Rio Grande below Elephant Butte Reservoir;

(l) On the Rio Grande below Caballo Reservoir.

Similar gaging stations shall be maintained and operated below any other reservoir constructed after 1929, and at such other points as may be necessary for the securing of records required for the carrying out of the Compact; and automatic water stage recorders shall be maintained and operated on each of the reservoirs mentioned, and on all others constructed after 1929.

Such gaging stations shall be equipped, maintained, and operated by the Commission directly or in cooperation with an appropriate Federal or State agency, and the equipment, method and frequency of measurement at such stations shall be such as to produce reliable records at all times.

### ARTICLE III.

The obligation of Colorado to deliver water in the Rio Grande at the Colorado-New Mexico State Line, measured at or near Lobatos, in each calendar year, shall be ten thousand acre feet less than the sum of those quantities set forth in the two following tabulations of relationship, which correspond to the quantities at the upper index stations:

#### DISCHARGE OF CONEJOS RIVER

##### Quantities in Thousands of Acre Feet

Conejos Index Supply (1)	Conejos River at Mouths (2)	Conejos Index Supply (1)	Conejos River at Mouths (2)
100	0	450	232
150	20	500	278
200	45	550	326
250	75	600	376
300	109	650	426
350	147	700	476
400	188		

Intermediate quantities shall be computed by proportional parts.

(1) Conejos Index Supply is the natural flow of Conejos River at the U. S. G. S. gaging station near Mogote during the calendar year, plus the natural flow of Los Pinos River at the U. S. G. S. gaging station near Ortiz and the natural flow of San Antonio River at the U. S. G. S. gaging station at Ortiz, both during the months of April to October, inclusive.

(2) Conejos River at Mouths is the combined discharge of branches of this river at the U. S. G. S. gaging stations near Los Sauces during the calendar year.

#### DISCHARGE OF RIO GRANDE EXCLUSIVE OF CONEJOS RIVER

##### Quantities in Thousands of Acre Feet

Rio Grande at Del Norte (3)	Rio Grande at Lobatos less Conejos at Mouths (4)	Rio Grande at Del Norte (3)	Rio Grande at Lobatos less Conejos at Mouths (4)
200	60	750	229
250	65	800	257
300	75	850	292
350	86	900	335
400	98	950	380
450	112	1000	430
500	127	1100	540
550	144	1200	640
600	162	1300	740
650	182	1400	840
700	204		

Intermediate quantities shall be computed by proportional parts.

(3) Rio Grande at Del Norte is the recorded flow of the Rio Grande at the U. S. G. S. gaging station near Del Norte during the calendar year (measured above all principal points of diversion to San Luis Valley) corrected for the operation of reservoirs constructed after 1937.

(4) Rio Grande at Lobatos less Conejos at Mouths is the total flow of the Rio Grande at the U. S. G. S. gaging stations near Lobatos, less the discharge of Conejos River at its Mouths, during the Calendar year.

The application of those schedules shall be subject to the provisions hereinafter set forth and appropriate adjustments shall be made for (a) any change in location of gaging stations; (b) any new or increased depletion of the runoff above inflow index gaging stations; and (c) any transmountain diversions into the drainage basin of the Rio Grande above Lobatos.

In event any works are constructed after 1937 for the purpose of delivering water into the Rio Grande from the Closed Basin, Colorado shall not be credited with the amount of such water delivered, unless the proportion of sodium ions shall be less than forty-five percent of the total positive ions in that water when the total dissolved solids in such water exceeds three hundred fifty parts per million.

#### ARTICLE IV.

The obligation of New Mexico to deliver water in the Rio Grande at San Marcial, during each calendar year, exclusive of the months of July, August and September, shall be that quantity set forth in the following tabulation of relationship, which corresponds to the quantity at the upper index station:

#### DISCHARGE OF RIO GRANDE AT OTOWI BRIDGE AND AT SAN MARCIAL EXCLUSIVE OF JULY, AUGUST AND SEPTEMBER

##### Quantities in Thousands of Acre Feet

Otowi Index Supply (5)	San Marcial Index Supply (6)	Otowi Index Supply (5)	San Marcial Index Supply (6)
100	0	1300	1042
200	65	1400	1148
300	141	1500	1257
400	219	1600	1370
500	300	1700	1489
600	383	1800	1608
700	469	1900	1730
800	557	2000	1856
900	648	2100	1985
1000	742	2200	2117
1100	839	2300	2253
1200	939		

Intermediate quantities shall be computed by proportional parts.

(5) The Otowi Index Supply is the recorded flow of the Rio Grande at the U. S. G. S. gaging station at Otowi Bridge near San Ildefonso (formerly station near Buckman) during the calendar year, exclusive of the flow during the months of July, August and September, corrected for the operation of reservoirs constructed after 1929 in the drainage basin of the Rio Grande between Lobatos and Otowi Bridge.

(6) San Marcial Index Supply is the recorded flow of the Rio Grande at the gaging station at San Marcial during the calendar year exclusive of the flow during the months of July, August and September.

The application of this schedule shall be subject to the provisions hereinafter set forth and appropriate adjustments shall be made for (a) any change in location of gaging stations; (b) depletion after 1929 in New Mexico at any time of the year of the natural runoff at Otowi Bridge; (c) depletion of the runoff during July, August and September of tributaries between Otowi Bridge and San Marcial, by works constructed after 1937; and (d) any transmountain diversions into the Rio Grande between Lobatos and San Marcial.

Concurrent records shall be kept of the flow of the Rio Grande at San Marcial, near San Acacia, and of the release from Elephant Butte Reservoir, to the end that the records at these three stations may be correlated.

## ARTICLE V.

If at any time it should be the unanimous finding and determination of the Commission that because of changed physical conditions, or for any other reason, reliable records are not obtainable or cannot be obtained, at any of the stream-gaging stations herein referred to, such stations may, with the unanimous approval of the Commission, be abandoned, and with such approval another station, or other stations, shall be established and new measurements shall be substituted which, in the unanimous opinion of the Commission, will result in substantially the same results, so far as the rights and obligations to deliver water are concerned, as would have existed if such substitution of stations and measurements had not been so made.

## ARTICLE VI.

Commencing with the year following the effective date of this Compact, all credits and debits of Colorado and New Mexico shall be computed for each calendar year; provided, that in a year of actual spill no annual credits nor annual debits shall be computed for that year.

In the case of Colorado, no annual debit nor accrued debit shall exceed 100,000 acre feet, except as either or both may be caused by holdover storage of water in reservoirs constructed after 1937 in the drainage basin of the Rio Grande above Lobatos. Within the physical limitations of storage capacity in such reservoirs, Colorado shall retain water in storage at all times to the extent of its accrued debit.

In the case of New Mexico, the accrued debit shall not exceed 200,000 acre feet at any time, except as such debit may be caused by holdover storage of water in reservoirs constructed after 1929 in the drainage basin of the Rio Grande between Lobatos and San Marcial. Within the physical limitations of storage capacity in such reservoirs, New Mexico shall retain water in storage at all times to the extent of its accrued debit. In computing the magnitude of accrued credits or debits, New Mexico shall not be charged with any greater debit in any one year than the sum of 150,000 acre feet and all gains in the quantity of water in storage in such year.

The Commission by unanimous action may authorize the release from storage of any amount of water which is then being held in storage by reason of accrued debits of Colorado or New Mexico; provided, that such water shall be replaced at the first opportunity thereafter.

In computing the amount of accrued credits and accrued debits of Colorado or New Mexico, any annual credits in excess of 150,000 acre feet shall be taken as equal to that amount.

In any year in which actual spill occurs, the accrued credits of Colorado, or New Mexico, or both, at the beginning of the year shall be reduced in proportion to their respective credits by the amount of such actual spill; provided, that the amount of actual spill shall be deemed to be increased by the aggregate gain in the amount of water in storage, prior to the time of spill, in reservoirs above San Marcial constructed after 1929; provided, further, that if the Commissioners for the States having accrued credits authorize the release of part, or all, of such credits in advance of spill, the amount so released shall be deemed to constitute actual spill.

In any year in which there is actual spill of usable water, or at the time of hypothetical spill thereof, all accrued debits of Colorado, or New Mexico, or both, at the beginning of the year shall be cancelled.

In any year in which the aggregate of accrued debits of Colorado and New Mexico exceeds the minimum unfilled capacity of project storage, such debits shall be reduced proportionally to an aggregate amount equal to such minimum unfilled capacity.

To the extent that accrued credits are impounded in reservoirs between San Marcial and Courchesne, and to the extent that accrued debits are impounded in reservoirs above San Marcial, such credits and debits shall be reduced annually to compensate for evaporation losses in the proportion that such credits or debits bore to the total amount of water in such reservoirs during the year.

#### ARTICLE VII.

Neither Colorado nor New Mexico shall increase the amount of water in storage in reservoirs constructed after 1929 whenever there is less than 400,000 acre feet of usable water in project storage; provided, that if the actual releases of usable water from the beginning of the calendar year following the effective date of this Compact, or from the beginning of the calendar year following actual spill, have aggregated more than an average of 790,000 acre feet per annum, the time at which such minimum stage is reached shall be adjusted to compensate for the difference between the total actual release and releases at such average rate; provided, further, that Colorado or New Mexico, or both, may relinquish accrued credits at any time, and Texas may accept such relinquished water, and in such event the state, or states, so relinquishing shall be entitled to store water in the amount of the water so relinquished.

#### ARTICLE VIII.

During the month of January of any year the Commissioner for Texas may demand of Colorado and New Mexico, and the Commissioner for New Mexico may demand of Colorado, the release of water from storage reservoirs constructed after 1929 to the amount of the accrued debits of Colorado and New Mexico, respectively, and such releases shall be made by each at the greatest rate practicable under the conditions then prevailing, and in proportion to the total debit of each, and in amounts, limited by their accrued debits, sufficient to bring the quantity of usable water in project storage to 600,000 acre-feet by March first and to maintain this quantity in storage until April thirtieth, to the end that a normal release of 790,000 acre feet may be made from project storage in that year.

#### ARTICLE IX.

Colorado agrees with New Mexico that in event the United States or the State of New Mexico decides to construct the necessary works for diverting the waters of the San Juan River, or any of its tributaries, into the Rio Grande, Colorado hereby consents to the construction of said works and the diversion of waters from the San Juan River, or the tributaries thereof, into the Rio Grande in New Mexico, provided the present and prospective uses of water in Colorado by other diversions from the San Juan River, or its tributaries, are protected.

#### ARTICLE X.

In the event water from another drainage basin shall be imported into the Rio Grande Basin by the United States or Colorado or New Mexico, or any of them jointly, the State having the right to the use of such water shall be given proper credit therefor in the application of the schedules.

#### ARTICLE XI.

New Mexico and Texas agree that upon the effective date of this Compact all controversies between said States relative to the quantity

or quality of the water of the Rio Grande are composed and settled; however, nothing herein shall be interpreted to prevent recourse by a signatory state to the Supreme Court of the United States for redress should the character or quality of the water, at the point of delivery, be changed hereafter by one signatory state to the injury of another. Nothing herein shall be construed as an admission by any signatory state that the use of water for irrigation causes increase of salinity for which the user is responsible in law.

#### ARTICLE XII.

To administer the provisions of this Compact there shall be constituted a Commission composed of one representative from each state, to be known as the Rio Grande Compact Commission. The State Engineer of Colorado shall be ex-officio the Rio Grande Compact Commissioner for Colorado. The State Engineer of New Mexico shall be ex officio the Rio Grande Compact Commissioner for New Mexico. The Rio Grande Compact Commissioner for Texas shall be appointed by the Governor of Texas. The President of the United States shall be requested to designate a representative of United States to sit with such Commission, and such representative of the United States, if so designated by the President, shall act as Chairman of the Commission without vote.

The salaries and personal expenses of the Rio Grande Compact Commissioners for the three States shall be paid by their respective States, and all other expenses incident to the administration of this Compact, not borne by the United States, shall be borne equally by the three States.

In addition to the powers and duties hereinbefore specifically conferred upon such Commission, and the members thereof, the jurisdiction of such Commission shall extend only to the collection, correlation, and presentation of factual data and the maintenance of records having a bearing upon the administration of this Compact, and, by unanimous action, to the making of recommendations to the respective States upon matters connected with the administration of this Compact. In connection therewith, the Commission may employ such engineering and clerical aid as may be reasonably necessary within the limit of funds provided for that purpose by the respective States. Annual reports compiled for each calendar year shall be made by the Commission and transmitted to the Governors of the signatory States on or before March first following the year covered by the report. The Commission may, by unanimous action, adopt rules and regulations consistent with the provisions of this Compact to govern their proceedings.

The findings of the Commission shall not be conclusive in any court or tribunal which may be called upon to interpret or enforce this Compact.

#### ARTICLE XIII.

At the expiration of every five-year period after the effective date of this Compact, the Commission may, by unanimous consent, review any provisions hereof which are not substantive in character and which do not affect the basic principles upon which the Compact is founded, and shall meet for the consideration of such questions on the request of any member of the Commission; provided, however, that the provisions hereof shall remain in full force and effect until changed and amended within the intent of the Compact by unanimous action of the Commissioners and until any changes in this Compact are ratified by the legislatures of the respective states and consented to



by the Congress, in the same manner as this Compact is required to be ratified to become effective.

#### ARTICLE XIV.

The schedules herein contained and the quantities of water herein allocated shall never be increased nor diminished by reason of any increases or diminution in the delivery or loss of water to Mexico.

#### ARTICLE XV.

The physical and other conditions characteristic of the Rio Grande and peculiar to the territory drained and served thereby, and to the development thereof, have actuated this Compact and none of the signatory states admits that any provisions herein contained establishes any general principle or precedent applicable to other interstate streams.

#### ARTICLE XVI.

Nothing in this Compact shall be construed as affecting the obligations of the United States of America to Mexico under existing treaties or to the Indian tribes, or as impairing the rights of the Indian tribes.

#### ARTICLE XVII.

This Compact shall become effective when ratified by the legislatures of each of the signatory States and consented to by the Congress of the United States. Notice of ratification shall be given by the Governor of each State to the Governors of the other States and to the President of the United States, and the President of the United States is requested to give notice to the Governors of each of the signatory States of the consent of the Congress of the United States.

IN WITNESS WHEREOF, the Commissioners have signed this Compact in quadruplicate original, one of which shall be deposited in the archives of the Department of State of the United States of America and shall be deemed the authoritative original, and of which a duly certified copy shall be forwarded to the Governor of each of the signatory States.

Done at the City of Santa Fe, in the State of New Mexico, on the 18th day of March, in the year of our Lord, One Thousand Nine Hundred and Thirty-eight.

M. C. HINDERLIDER.  
THOMAS M. MCCLURE.  
FRANK B. CLAYTON.

Approved:

S. O. HARPER.

Approved, May 31, 1939.

#### [CHAPTER 156]

#### AN ACT

To authorize further relief to water users on United States reclamation projects and on Indian reclamation projects.

May 31, 1939  
[H. R. 5076]  
[Public, No. 97]

United States and  
Indian reclamation  
projects.

Determination of  
ability of water users  
to pay construction  
charges.

*Post*, p. 1198.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Interior is hereby authorized and directed to determine as to each United States and Indian reclamation project whether any of the water users' organizations or water users, as the case may be, owing construction charges to the United States on each such project

are unable, due to partial crop failure attributable to a water shortage or due to other causes beyond the control of the water users, to pay without great hardship or undue burden the full amount of the construction charges due and payable for the calendar year 1938 and of any unpaid construction charges required to be paid as a condition precedent to delivery of water in 1939. Said Secretary shall base his determinations on such data furnished by water users' organizations and water users and on such investigations and reports by the Bureau of Reclamation and the Office of Indian Affairs as he deems necessary. As to any such water users' organization or water user who according to the said Secretary's determination is unable to pay in full the construction charges due and payable for the calendar year 1938 and any unpaid construction charges required to be paid as a condition precedent to delivery of water in 1939, said Secretary is hereby authorized to grant an extension of time for the payment of such proportion of said charges as in his judgment in each case is just and equitable: *Provided*, That said Secretary may make any extension granted pursuant to the authority of this Act subject to such conditions as in his judgment are desirable in the interest of the United States. The charges so extended shall be paid at such time or times as the said Secretary may determine.

Data to be used.

Extension of time for payments where conditions justify.

*Proviso.*  
Conditions.

Definition of terms.

32 Stat. 388.

SEC. 2. As used in this Act the term "United States reclamation project" shall mean any irrigation project constructed by the United States, or in connection with which there has been executed a repayment contract with the United States, pursuant to the Reclamation Act of June 17, 1902 (32 Stat. 388), or any Act amendatory thereof or supplementary thereto; the term "Indian reclamation project" shall mean any irrigation project constructed by the United States under the direction of the Office of Indian Affairs, or in connection with which there has been executed a repayment contract with the United States, pursuant to Acts of Congress relating to Indian reclamation projects; and the term "construction charges" shall mean the installments on the principal obligations due each year to the United States under water-right applications, repayment contracts, orders of the Secretary of the Interior, or other forms of obligations entered into pursuant to said Federal reclamation laws, or Acts of Congress relating to Indian reclamation projects.

Approved, May 31, 1939.

[CHAPTER 157]

AN ACT

To amend the Agricultural Marketing Agreement Act of 1937, as amended, to make its provisions applicable to apples produced in the States of Washington, Oregon, and Idaho.

May 31, 1939  
[S. 1096]  
[Public, No. 98]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 2 of the Agricultural Marketing Agreement Act of 1937, as amended, is amended by adding at the end thereof the following: "(m)". Paragraphs (2) and (6) of section 8c are amended by inserting after the word "apples" the words "other than apples produced in the States of Washington, Oregon, and Idaho."

Approved, May 31, 1939.

Agricultural Marketing Agreement Act of 1937, amendment.  
49 Stat. 754, 755; 50 Stat. 248, 563.  
7 U. S. C., Supp. IV, § 608c (2), (6).  
Provisions extended to include apples from certain Northwestern States.

## [CHAPTER 158]

## AN ACT

May 31, 1939  
[H. R. 199]  
[Public, No. 99]

To amend section 10 (b), (c), and (d) of the Act of June 26, 1884, as amended (U. S. C., 1934 edition, title 46, sec. 599), relative to the allotment of wages by seamen.

American seamen.  
23 Stat. 55.  
46 U. S. C. § 599.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subsections (b), (c), and (d) of section 10 of the Act of June 26, 1884, as amended (U. S. C., 1934 edition, title 46, sec. 599), are amended to read as follows:

Allotment of portion of wages to relatives or to savings accounts.

“(b) That it shall be lawful for any seaman to stipulate in his shipping agreement for an allotment of any portion of the wages he may earn to his grandparents, parents, wife, sister, or children, or for deposits to be made in an account opened by him and maintained in his name either at a savings bank or a United States postal savings depository subject to the governing regulations thereof.

Conditions requisite for valid allotments. Examinations.

“(c) That no allotment shall be valid unless in writing and signed by and approved by the shipping commissioner. It shall be the duty of the said commissioner to examine such allotments and the parties to them and enforce compliance with the law. All stipulations for the allotment of any part of the wages of a seaman during his absence which are made at the commencement of the voyage shall be inserted in the agreement and shall state the amounts and times of the payments to be made and the persons to whom the payments are to be made, or by directing the payments to be made to a savings bank or a United States postal savings depository in an account maintained in his name.

Stipulations, insertion in agreement.

Punishment for false claim.

“(d) No allotment except as provided in this section shall be legal. Any person who shall falsely claim to be such relation, as above described, or to be a savings bank or a United States postal savings depository and as such an allottee of the seaman under this section shall for every such offense be punished by a fine not exceeding \$500 or imprisonment not exceeding six months, at the discretion of the court.”

Approved, May 31, 1939.

## [CHAPTER 159]

## AN ACT

May 31, 1939  
[H. R. 1782]  
[Public, No. 100]

To amend section 4335 of the Revised Statutes of the United States, relative to change of masters of vessels.

Vessels in domestic commerce.  
R. S. § 4335.  
46 U. S. C. § 276.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 4335 of the Revised Statutes (U. S. C., 1934 edition, title 46, sec. 276) is hereby amended to read as follows:

Proceedings on change of masters.

“(a) Whenever the master of any licensed vessel, ferryboats excepted, is changed, the new master, or, in case of his absence, the owner or one of the owners thereof, shall report such change to the collector residing at the port where the same happens, if there be one; otherwise, to the collector residing at any port where such vessel next arrives, who, upon the oath of such new master, or, in case of his absence, of the owner, that such master is a citizen of the United States, and that such vessel shall not, while such license continues in force, be employed in any manner whereby the revenue of the United States may be defrauded, shall endorse such change on the license, with the name of the new master. Whenever such change is not reported, and endorsed, as herein required, such vessel, if found carrying on the coasting trade or fisheries, shall be subject to pay the same fees and tonnage as a vessel of the United States having a register, and the new

Vessels in the coasting trade or fisheries, penalty for not reporting change.

master shall be liable to a penalty of \$10: *Provided*, That the Secretary of Commerce may authorize the endorsement of not more than two alternate masters in addition to the one already endorsed on the license, whenever in his judgment the condition of employment of the vessel warrants such action: *Provided further*, That in the case of vessels navigated within the limits of the harbor of any town or city, the name of the owner or some responsible person acting for the owner who otherwise meets all requirements of the laws of the United States with regard to masters, may be endorsed on the license of such vessel, although not actually employed thereon, in accordance with rules and regulations prescribed by the Secretary of Commerce: *And provided further*, That in the case of unrigged vessels which are not required by law to have on board a certificate of inspection, the name of the owner or any responsible person acting for the owner who otherwise meets all requirements of the laws of the United States with regard to masters, may be endorsed on the license of such unrigged vessel although not actually employed on board the vessel.

“(b) In the case of those vessels on the licenses of which there are endorsed the names of more than one master, the master actually in charge of the vessel shall assume all of the duties and responsibilities imposed by any statute upon masters of vessels, and incur the liabilities provided by any law against masters of vessels during any period in which he is in charge of the vessel.

“(c) The term ‘unrigged vessel’ as used herein, means any vessel that is not self-propelled.”

Approved, May 31, 1939.

*Proviso.*  
Endorsement of two alternate masters permitted.

Vessels operating within limits of harbor of town or city.

Unrigged vessels not requiring certificate of inspection on board.

Duties and responsibilities of master in charge.

“Unrigged vessel,” term defined.

#### [CHAPTER 160]

##### AN ACT

To amend section 4325 of the Revised Statutes of the United States, as amended, relative to renewal of licenses of vessels.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 4325 of the Revised Statutes, as amended (U. S. C., 1934 edition, title 46, sec. 267), is hereby amended to read as follows:

“The license granted to any vessel shall be presented for renewal by endorsement to the collector of customs of the district in which the vessel then may be within three days after the expiration of time for which it was granted, or, if she be absent at that time, within three days from her first arrival within a district. In case of change of build, ownership, district, trade, or arrival under temporary papers in the district where she belongs the license shall be surrendered. If the master shall fail to deliver the license he shall be liable to a penalty of \$10. Such penalty on application may be mitigated or remitted by the Secretary of Commerce.”

Approved, May 31, 1939.

May 31, 1939  
[H. R. 1786]  
[Public, No. 101]

Vessels.  
R. S. § 4325.  
46 U. S. C. § 267.

Renewal of licenses.

Surrender in case of change of build, ownership, etc.

Penalty for failure; remission or mitigation.

#### [CHAPTER 161]

##### AN ACT

To authorize the Secretary of War to provide for the sale of aviation supplies and services to aircraft operated by foreign military and air attachés accredited to the United States, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War, under such regulations as he may prescribe, may provide for the sale to any aircraft operated by any foreign military or air attaché accredited to the United States of fuel, oil, equipment, and

May 31, 1939  
[H. R. 3221]  
[Public, No. 102]

Aviation supplies and services to aircraft.

Sale of, operated by accredited foreign military or air attaché.

Sale at cost.

Credit of amounts received.

supplies, and for the furnishing to such aircraft of mechanical service, shelter, and other assistance. Except for shelter for which no charge shall be made, all such articles shall be sold and such mechanical service and other assistance furnished at the cost thereof to the United States. All amounts received shall be credited to the appropriation from which such cost was paid.

Approved, May 31, 1939.

[CHAPTER 162]

AN ACT

May 31, 1939  
[H. R. 5447]  
[Public, No. 103]

Authorizing the President to invite the States of the Union and foreign countries to participate in the International Petroleum Exposition at Tulsa, Oklahoma, to be held May 18 to May 25, 1940.

International Petroleum Exposition, Tulsa, Okla.

President authorized to invite the States and foreign countries to participate.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States is authorized to invite by proclamation, or in such other manner as he may deem proper, the States of the Union and all foreign countries to participate in the proposed International Petroleum Exposition, to be held at Tulsa, Oklahoma, from May 18 to May 25, 1940, inclusive, for the purposes of exhibiting samples of fabricated and raw products of all countries used in the petroleum industry and bringing together buyers and sellers for promotion of trade and commerce in such products.

Dutiable articles imported for exhibition, etc.; admission free, under regulations.

SEC. 2. All articles which shall be imported from foreign countries for the purpose of exhibition at the International Petroleum Exposition or for use in constructing, installing, or maintaining foreign buildings or exhibits at the said exposition, upon which articles there shall be a tariff or customs duty, shall be admitted without payment of such tariff, customs duty, fees, or charges under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during or within three months after the close of the said exposition to sell within the area of the exposition any articles provided for herein subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury may prescribe: *Provided*, That all such articles, when withdrawn for consumption or use in the United States, shall be subject to the duties, if any, imposed upon such articles by the revenue laws in force at the date of their withdrawal; and on such articles, which shall have suffered diminution or deterioration from incidental handling or exposure, the duties, if payable, shall be assessed according to the appraised value at the time of withdrawal from entry hereunder for consumption or entry under the general tariff law: *Provided further*, That imported articles provided for herein shall not be subject to any marking requirements of the general tariff laws except when such articles are withdrawn for consumption or use in the United States, in which case they shall not be released from customs custody until properly marked, but no additional duty shall be assessed because such articles were not sufficiently marked when imported into the United States: *Provided further*, That at any time during or within three months after the close of the exposition, any article entered hereunder may be abandoned to the Government or destroyed under customs supervision, whereupon any duties on such article shall be remitted: *Provided further*, That articles which have been admitted without payment of duty for exhibition under any tariff law, and which have remained in continuous customs custody or under a customs exhibition bond, and imported articles in bonded warehouses under the general tariff law may be

Sales permitted.

Provisos.  
Duty on articles withdrawn.

Deterioration allowance.

Marking requirements.

Abandoned articles.

Transfer privilege.

accorded the privilege of transfer to and entry for exhibition at the said exposition under such regulations as the Secretary of the Treasury shall prescribe: *And provided further*, That the International Petroleum Exposition shall be deemed for customs purposes only, to be the sole consignee of all merchandise imported under the provisions of this Act, and that the actual and necessary customs charges for labor, services, and other expenses in connection with the entry, examination, appraisement, release, or custody, together with the necessary charges for salaries of customs officers and employees in connection with the supervision, custody of, and accounting for, articles imported under the provisions of this Act, shall be reimbursed by the International Petroleum Exposition to the Government of the United States, under regulations to be prescribed by the Secretary of the Treasury, and that receipts from such reimbursements shall be deposited as refunds to the appropriation from which paid, in the manner provided for in section 524, Tariff Act of 1930.

SEC. 3. That the Government of the United States is not by this Act obligated to any expense in connection with the holding of such exposition and is not hereafter to be obligated other than for suitable representation thereat.

Approved, May 31, 1939.

[CHAPTER 167]

AN ACT

To authorize necessary facilities for the Coast Guard in the interest of national defense and the performance of its maritime police functions.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, in the interest of national defense, and to provide adequate facilities for the Coast Guard for the performance of maritime police functions, the Secretary of the Treasury is hereby authorized (1) to construct and equip three Coast Guard cutters, of approximately two thousand tons displacement each and designed to have a speed of not less than twenty knots; (2) to establish, equip, and maintain a Coast Guard base and air station on the coast of Alaska in such locality as the Commandant of the Coast Guard may recommend; and (3) to purchase or construct, and to equip, fifteen seaplanes having a cruising range of not less than two thousand statute miles: *Provided*, That the Secretary of the Treasury may, in his discretion, authorize the construction of the public works and the provision of the public utilities required for the establishment of said Coast Guard base and air station on the coast of Alaska to be accomplished by the Secretary of the Navy under a provision to be incorporated in such contract as the Secretary of the Navy may negotiate for naval aviation facilities in Alaska under the authority contained in the Act approved April 25, 1939, entitled "An Act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes" and the Secretary of the Navy, upon request and a transfer of the necessary funds, is authorized to accomplish said work accordingly.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such amount as may be necessary to carry out the purposes of this Act.

Approved, June 2, 1939.

Exposition deemed sole consignee of merchandise.

Incurred Federal expenses, reimbursement.

Deposit of receipts as refunds.  
46 Stat. 741.  
19 U. S. C. § 1524; Supp. IV, § 1524.  
No Federal obligation assumed.

June 2, 1939  
[S. 1369]

[Public, No. 104]

Coast Guard, facilities authorized.

Cutters, construction, etc.

Coast Guard base and air station, Alaska.

Seaplanes, purchase, etc.

*Proviso.*  
Construction, Alaska, by Secretary of the Navy authorized.

*Ante*, p. 590.

Appropriation authorized.

## [CHAPTER 168]

## AN ACT

June 2, 1939  
[H. R. 1784]  
[Public, No. 105]

To amend section 4498 of the Revised Statutes of the United States, as amended, relative to the renewal of licenses of vessels.

Regulation of steam  
vessels.  
R. S. § 4498.  
46 U. S. C. § 496.

Withholding of li-  
cense, etc., until cer-  
tificate of inspection  
filed.  
R. S. §§ 4399-4500.

Proviso.  
Renewals.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 4498 of the Revised Statutes, as amended (U. S. C., 1934 edition, title 46, sec. 496), is hereby amended to read as follows:

"A register, enrollment, or license shall not be granted, or other papers be issued by any collector or other chief officer of customs to any vessel subject by law to inspection under this title (R. S. 4399-4500) until all the provisions of this title applicable to such vessel have been fully complied with and until the copy of the certificate of inspection required by this title for such vessel has been filed with said collector or other chief officer of customs: *Provided*, That the license granted to any vessel, if presented to any collector of customs at any time within thirty calendar days prior to the date of expiration shown thereon, may be renewed by the endorsement by the collector of customs for a period of one year from the date of expiration shown on the license, if there be on file in the office of the collector at that time a copy of the certificate of inspection required by title LII of the Revised Statutes, which is in force on the date renewal is made."

Approved, June 2, 1939.

## [CHAPTER 169]

## AN ACT

June 2, 1939  
[H. R. 2878]  
[Public, No. 106]

To authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes.

Navy.  
Construction of cer-  
tain public works  
projects.

Pearl Harbor, Ha-  
waii, Navy Yard.

Mare Island, Calif.,  
Navy Yard.

Portsmouth, N. H.,  
Navy Yard.

Puget Sound,  
Wash., Navy Yard.

Guam, Naval Sta-  
tion.  
Tutuila, Samoa,  
Naval Station.

Guantanamo,  
Cuba, Naval Station.

Newport, R. I.,  
Naval Torpedo Sta-  
tion.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy is hereby authorized to proceed with the construction of the following public works projects at a cost not to exceed the amount stated after each item enumerated:

Navy Yard, Pearl Harbor, Hawaii: Graving drydock for large vessels, services, and accessories, \$8,485,000; personnel buildings and accessories, \$4,214,000; recreation facilities, including buildings and accessories, \$125,000; pipe and copper shop building and accessories, \$150,000; electric shop building and accessories, \$465,000; galvanizing shop building and accessories, \$85,000; graving drydock for small vessels, services, and accessories, \$2,000,000; public works shop and storage building, \$170,000; ordnance shop building and accessories, \$165,000; storehouse building and accessories, \$750,000.

Navy Yard, Mare Island, California: Graving drydock, services, and accessories, \$1,750,000; utility and transportation buildings and accessories, \$100,000; laboratory building and accessories, \$120,000.

Navy Yard, Portsmouth, New Hampshire: Submarine barracks and mess hall, \$270,000.

Navy Yard, Puget Sound, Washington: Graving drydock, services, and accessories, \$3,000,000.

Naval Station, Guam: Officers' quarters and accessories, \$75,000.

Naval Station, Tutuila, Samoa: Chief petty officers' quarters and accessories, \$66,000; officers' quarters and accessories, \$45,000; recreation building and accessories, \$70,000.

Naval Station, Guantanamo, Cuba: Enlisted men's quarters and accessories, \$50,000.

Naval Torpedo Station, Newport, Rhode Island: Explosive-manufacturing building and accessories, \$250,000.

Naval Proving Ground, Dahlgren, Virginia: Magazine building and accessories, \$35,000; dispensary building and accessories, \$40,000; locomotive and crane shed and accessories, \$20,000; garage building and accessories, \$20,000; carpenter shop building and accessories, \$25,000.

Naval Powder Factory, Indianhead, Maryland: Barracks building and accessories, \$125,000.

Naval Ammunition Depot, Hawthorne, Nevada: Additional magazine buildings and accessories, \$1,260,000.

Naval Ammunition Depot, Oahu, Hawaii: Additional magazine buildings and accessories, \$223,500.

Naval Ammunition Depot, Saint Juliens Creek, Virginia: Explosive-loading plant and accessories for TNT and black powder, \$165,000.

Naval Ammunition Depot, Iona Island, New York: Replacement of filling house numbered 307 and accessories, \$30,000.

Naval Ammunition Depot, Fort Mifflin, Pennsylvania: Projectile loading plant building and accessories, \$45,000.

Naval Training Station, San Diego, California: Trade school and auditorium buildings and accessories, \$525,000.

Naval Training Station, Norfolk, Virginia: Dispensary building and accessories, \$190,000; receiving station mess hall and galley building and accessories, \$375,000; receiving station barracks buildings and accessories, \$800,000.

Naval Operating Base, Norfolk, Virginia: Chapel, \$150,000.

Destroyer Base, San Diego, California: Power plant building and accessories, \$50,000; torpedo storehouse and accessories, \$90,000; dispensary building and accessories, \$40,000; bachelor officers' quarters and accessories, \$70,000.

Submarine Base, Pearl Harbor, Hawaii: Individual storehouse and accessories, \$20,000.

Naval Air Station, San Diego, California: Purchase and improvement of auxiliary landing fields, \$321,000.

Naval Air Station, Norfolk, Virginia: Purchase of auxiliary landing fields, \$300,000.

Naval Air Station, Seattle, Washington: Radio direction-finder house and accessories, \$5,000.

Fleet Air Base and Submarine Base, Coco Solo, Canal Zone: Personnel buildings and accessories, \$1,736,000.

Fleet Air Base, Coco Solo, Canal Zone: Aircraft storehouse and accessories, \$285,000.

Marine Aviation Facilities, Charlotte Amalie, Virgin Islands: Quarters for naval personnel, including services and accessories, \$259,000; dispensary building and accessories, \$30,000.

Marine Corps Flying Field, Quantico, Virginia: Aircraft and engine overhaul building and accessories, \$250,000; motor-test-stand building and accessories, \$80,000.

Marine Barracks, Parris Island, South Carolina: Buildings and accessories, \$3,018,500.

Marine Barracks, San Diego, California: Development of rifle range at La Jolla, California, \$305,000.

Marine Barracks, Quantico, Virginia: Contagious ward and accessories, \$65,000; barracks building and accessories, \$60,000; shop building and accessories, \$172,000; nurses' quarters and accessories, \$56,000; school building and accessories, \$250,000.

Marine Corps Depot of Supplies, Philadelphia, Pennsylvania: Storage buildings and accessories, \$1,300,000.

Naval Research Laboratory, Bellevue, District of Columbia: Barracks, mess hall, and instruction building, and accessories, \$230,000.

Dahlgren, Va., Naval Proving Ground.

Indianhead, Md., Naval Powder Factory.

Hawthorne, Nev., Naval Ammunition Depot.

Oahu, Hawaii, Naval Ammunition Depot.

Saint Juliens Creek, Va., Naval Ammunition Depot.

Iona Island, N. Y., Naval Ammunition Depot.

Fort Mifflin, Pa., Naval Ammunition Depot.

San Diego, Calif., Naval Training Station.

Norfolk, Va., Naval Training Station.

Norfolk, Va., Naval Operating Base.  
San Diego, Calif., Destroyer Base.

Pearl Harbor, Hawaii, Submarine Base.

San Diego, Calif., Naval Air Station.

Norfolk, Va., Naval Air Station.

Seattle, Wash., Naval Air Station.

Coco Solo, C. Z., Fleet Air Base and Submarine Base.

Charlotte Amalie, V. I., Marine aviation facilities.

Quantico, Va., Marine Corps Flying Field.

Parris Island, S. C., Marine barracks.

San Diego, Calif., Marine barracks.

Quantico, Va., Marine barracks.

Philadelphia, Pa., Marine Corps Depot of Supplies.

Bellevue, D. C., Naval Research Laboratory.



Pearl Harbor, Hawaii, Naval Supply Depot.

Mare Island, Calif., Naval Hospital.

San Diego, Calif., Naval Hospital.

Norfolk, Va., Naval Hospital.

Guam, Naval Hospital.

Pearl Harbor, Hawaii, Naval Hospital.

Gatun, C. Z., Naval Radio Station.

Eureka, Calif., Naval Radio Station.

Point Loma, Calif., Naval Radio Station.

Dutch Harbor, Alaska, Naval Radio Station.

Point Saint George, Calif., Naval Direction Finder Station.

Point Arguello, Calif., Naval Direction Finder Station.

Folly Island, S. C., Naval Direction Finder Station.

Poyners Hill, N. C., Naval Direction Finder Station.

Jupiter, Fla., Naval Direction Finder Station.

Pearl Harbor, Hawaii, Navy Yard.

Existing authorization for certain floating drydock construction modified.  
49 Stat. 155.

Oakland, Calif., supply depot.  
Acquisition of site.

*Provisos.*  
Use; administration, etc.

Overlapping activities, restriction.

Naval Supply Depot, Pearl Harbor, Hawaii: Provision storage building and accessories, \$250,000.

Naval Hospital, Mare Island, California: Administration and subsistence building and accessories, \$475,000.

Naval Hospital, San Diego, California: Sick officers' quarters and out-patients' clinic and accessories, \$175,000.

Naval Hospital, Norfolk, Virginia: Barracks building and accessories, \$200,000.

Naval Hospital, Guam: Isolation and tuberculosis wards and accessories, \$47,000.

Naval Hospital, Pearl Harbor, Hawaii: Barracks building and accessories, \$105,000.

Naval Radio Station, Gatun, Canal Zone: Quarters and accessories, \$40,000.

Naval Radio Station, Eureka, California: Quarters and accessories, \$15,000.

Naval Radio Station, Point Loma, California: Quarters and accessories, \$22,000.

Naval Radio Station, Dutch Harbor, Alaska: Recreation building and accessories, \$12,000.

Naval Direction Finder Station, Point Saint George, California: Purchase of land, \$2,500.

Naval Direction Finder Station, Point Arguello, California: Powerhouse, garage, dormitory building, and accessories, \$27,000; quarters and accessories, \$6,000.

Naval Direction Finder Station, Folly Island, South Carolina: Reconstruction of station at new location, \$60,000.

Naval Direction Finder Station, Poyners Hill, North Carolina: Barracks, compass house quarters, and accessories, \$52,000.

Naval Direction Finder Station, Jupiter, Florida: Barracks, compass house, quarters, and accessories, \$50,000.

SEC. 2. The Act entitled "An Act to authorize the Secretary of the Navy to proceed with the construction of certain public works, and for other purposes", approved April 15, 1935 (49 Stat. 155) is hereby amended by deleting the words and figures "floating drydock, type D, including mooring facilities and accessories, \$750,000" from the paragraph headed "Navy Yard, Pearl Harbor, Hawaii:", and by adding to the Act of April 15, 1935, the following paragraph:

"Floating drydock, type D, including mooring facilities and accessories, \$1,710,000."

SEC. 3. (a) The Secretary of the Navy is hereby authorized to accept or acquire title in fee simple at a cost of not more than \$300,000 to all that area of land, including tide and submerged lands, filled and unfilled, situate, lying, and being in the middle harbor area of the city of Oakland, county of Alameda, State of California, now owned in part by the said city of Oakland and in part by the Southern Pacific Company, and described on a so-called Map and Description of Naval Supply Depot Site, dated September 17, 1936, as parcels A, B, C, D-1, D-2, D-3, and E, containing in all four hundred and two acres, more or less, for use as a site for a naval supply depot: *Provided*, That such land shall be used only as a naval supply depot and for no other purpose, shall be a part of the Navy Yard, Mare Island, and shall be so administered by the commandant of that yard: *Provided further*, That the activities of said depot shall not overlap or encroach upon the storage of supplies, materials, and equipment required in connection with the industrial activities of the Navy Yard, Mare Island, California.

(b) The Secretary of the Navy is hereby authorized to proceed with the construction of fleet supply facilities, including buildings and accessories, on the land of which title has been accepted and acquired under authority of section 3 (a) of this Act, at a cost of not more than \$6,500,000.

Fleet supply facilities, construction.

(c) There is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, such sums not to exceed \$6,500,000 as may be necessary to effectuate the purposes of section 3 (a) of this Act.

Appropriation authorized.

SEC. 4. The Secretary of the Navy is hereby authorized to acquire by purchase the two graving drydocks situated on San Francisco Bay and known as the Hunters Point drydocks and approximately forty-eight acres of adjoining land and improvements thereon and to construct on said land an assembly building, storehouse, latrine, and galley, and accessories to each and to provide a quay wall and weight-handling facilities, all to constitute an annex of the Navy Yard, Mare Island, California, and to be operated under the direction of the commandant of said navy yard, and to cost not to exceed \$6,000,000: *Provided*, That no part of any appropriation made to effectuate the purposes of this Act shall be used to needlessly duplicate at said annex any manufacturing, construction, or repair facilities available at the Navy Yard, Mare Island, California, except as herein specifically authorized, and no such duplicate facilities shall be provided hereafter at said annex unless specifically authorized by law: *Provided further*, That should the Secretary of the Navy, after ninety days negotiations with the owners of said drydocks, land, and improvements, be unable to agree with said owners upon a purchase price not to exceed for such properties \$4,000,000, then, and in that event, the said Secretary is authorized to acquire a suitable tract of land on San Francisco Bay and to construct thereon, by contract or otherwise, a graving drydock capable of docking the largest vessel built, building, or projected, together with buildings, accessories, and incidental facilities, all at a cost not to exceed \$6,000,000 and to be used and operated as hereinbefore provided, but not more than 10 per centum of \$6,000,000 shall be expended for the acquisition of the site of the said dock.

Hunters Point graving drydocks, San Francisco Bay, Calif., acquisition.

Construction of projects on adjoining land.

*Provisos.*  
Duplication of existing facilities, restriction.

Alternative site, plans, etc.

Maximum expenditure.

SEC. 5. (a) The Secretary of the Navy is hereby authorized to proceed with the construction of such public works and utilities, including buildings and accessories, as are needed to equip South Boston drydock for use as an annex of the Boston Navy Yard in the repair of naval vessels.

South Boston drydock, equipment, as annex to Boston Navy Yard.

(b) There is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, such sums not to exceed \$2,545,000 as may be necessary to effectuate the purposes of section 5 (a) of this Act.

Appropriation authorized.

SEC. 6. The Secretary of the Navy is hereby authorized to continue the employment, in the District of Columbia and elsewhere, of such employees now carried on the rolls as will be required for the preparation of plans and specifications and administrative work in connection with the public works and public utilities projects authorized by this Act, or heretofore otherwise authorized.

Personal services.

Approved, June 2, 1939.

## [CHAPTER 170]

## AN ACT

June 2, 1939  
[H. R. 5501]

[Public, No. 107]

Authorizing the Secretary of Commerce to convey a certain tract of land to the State of Oregon for use as a public park and recreational site.

Umpqua River  
Lighthouse Reserva-  
tion, Oreg.  
Conveyance of part  
of, to State of Oregon.

## Description.

Proviso.  
Purchase price.

Use for public park,  
etc., purposes.

Reversionary pro-  
vision.

49 Stat. 885, 800.  
40 U. S. C., Supp.  
IV, §§ 304a, 345b.  
Reservation of  
rights of ingress and  
egress.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of Commerce is authorized and directed to convey by quitclaim deed to the State of Oregon, subject to the condition and the easement specified in section 2 of this Act, the following-described tract of land situated in the State of Oregon and now constituting a part of the Umpqua River Lighthouse Reservation, such tract of land being more specifically described as follows: All of the north half southwest quarter section 13 and that portion of the southeast quarter northwest quarter section 13, township 22 south, range 13 west, Willamette meridian, lying easterly of the meanders of the center line of the creek flowing northerly from Lake Marie, containing approximately one hundred and ten acres; the conveyance thereof being subject to the payment of a purchase price to be determined by the Procurement Division, Treasury Department: *Provided*, That the total purchase price shall not be less than 50 per centum of the appraised value of the land.

SEC. 2. The tract of land authorized to be conveyed by the first section of this Act shall be used by the grantee for the purpose of a public park and recreational site and for similar and related purposes. The conveyance of such tract of land shall contain the express condition that if the grantee shall cease to use such tract of land for such purposes, or shall alienate or attempt to alienate such tract of land, or shall fail to perform any contract entered into with the United States for the purchase of the property, title thereto shall revert to the United States for the use of the Lighthouse Service, Department of Commerce, or other agencies of the United States, or for disposal under the Act of August 27, 1935 (49 Stat. 885; U. S. C., title 40, sec. 304a), or under the Act of August 26, 1935 (49 Stat. 800; U. S. C., title 40, sec. 345b). Such conveyance shall contain appropriate provisions for the purpose of reserving to the United States such rights of ingress and egress over the land conveyed as may be necessary for the maintenance of the light station and other aids to navigation established upon such reservation and as may be necessary for the performance of other governmental activities on such reservation.

Approved, June 2, 1939.

## [CHAPTER 171]

## JOINT RESOLUTION

June 2, 1939  
[H. J. Res. 280]

[Pub. Res., No. 17]

Authorizing the payment of salaries of the officers and employees of Congress on the first workday preceding the last day of any month when the last day falls on Sunday or a legal holiday.

Congressional em-  
ployees, etc.

50 Stat. 199.  
2 U. S. C., Supp. IV,  
§ 60d.

Payment of salaries  
when last day of month  
falls on Sunday or legal  
holiday.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the joint resolution entitled "Joint resolution authorizing the payment of salaries of officers and employees of Congress for December on the 20th day of that month each year", approved May 21, 1937, is amended by adding at the end thereof a new section as follows:

"SEC. 2. The Secretary of the Senate and the Clerk of the House of Representatives are authorized and directed to pay to the officers and employees of the Senate and House of Representatives, including the Capitol Police and Office of Legislative Counsel, and employees paid on voucher under authority of resolutions, their respective salaries on the first workday preceding the last day of any month

(except the month of December) when the last day of such month falls on a Sunday or a legal holiday.”

Approved, June 2, 1939.

## [CHAPTER 172]

## AN ACT

To authorize the construction of certain vessels for the Coast and Geodetic Survey, Department of Commerce, and for other purposes.

June 2, 1939

[S. 1842]

[Public, No. 108]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated not to exceed \$1,425,000 to be expended by the Secretary of Commerce for the construction of one main surveying ship of not over one thousand five hundred tons light displacement tonnage and of one auxiliary surveying vessel of not over one hundred and twenty-five tons light displacement tonnage, including purchase or construction of complete equipment and outfit and including cost of preparation of plans, specifications, and inspection during construction, said ships to be designed and equipped for Coast and Geodetic Survey duties in Alaska.

Approved, June 2, 1939.

Coast and Geodetic Survey.

Appropriation authorized for construction of surveying vessels.

Equipment, etc.

Design, etc., for duties in Alaska.

## [CHAPTER 173]

## AN ACT

Providing for the transfusion of blood by members and former members of the Military Establishment, and by employees of the United States Government.

June 2, 1939

[H. R. 2987]

[Public, No. 109]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 1 of the Act of February 9, 1927, entitled “An Act relating to the transfusion of blood by members of the Military Establishment” (U. S. C., title 24, sec. 30) is hereby amended so as to read as follows: “That any person in the Military Establishment, or who has been a member of the Military Establishment, and any employee of the United States Government, who shall furnish blood from his or her veins for transfusion to the veins of a member or former member of the Military Establishment who is a patient in a Government hospital shall be entitled to be paid therefor such reasonable sum, not to exceed \$50, as may be determined by the head of the hospital concerned, from public funds available for the operation of such hospital: *Provided*, That expenditures heretofore made to persons in Government service for blood furnished from his or her veins for transfusion to the veins of an official patient in a Government hospital are hereby authorized and validated.”

Approved, June 2, 1939.

Military, etc., personnel and Government employees.

Payment to, for furnishing blood for transfusions.

44 Stat. 1066.

24 U. S. C. § 30.

*Provided.*  
Prior payments for, validated.

## [CHAPTER 174]

## AN ACT

To authorize the Secretary of War to convey certain lands owned by the United States for other lands needed in connection with the expansion of West Point Military Reservation, New York, and for other purposes.

June 2, 1939

[H. R. 3131]

[Public, No. 110]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized to convey to the Palisades Interstate Park Commission, a joint corporate municipal instrumentality of the States of New York and New Jersey, all or any part of a certain tract of land, in the vicinity of Popolopen Creek, Orange

West Point Military Reservation, N. Y.  
Exchange of lands, authorized.

46 Stat. 1491.  
*Provisos.*  
 Compensation.

Preservation of water supply.

County, New York, containing approximately three hundred and two acres and constituting a part of the West Point Military Reservation, New York, in exchange for other lands in said county and State under the control of the said commission, the acquisition of which is authorized by the Act of Congress approved March 3, 1931 (46 Stat. 1491): *Provided*, That if in the opinion of the Secretary of War the lands to be conveyed by the United States under the authority of this Act do not represent fair and reasonable compensation for the lands to be conveyed to the United States as aforesaid, the Secretary of War is authorized to pay, from appropriations available for the purpose of carrying out the provisions of the aforesaid Act of Congress, such additional sum as shall, in his opinion, with the lands to be conveyed by the United States, constitute fair and reasonable compensation therefore: *Provided further*, That the Secretary of War shall reserve to the United States in any conveyance made under authority of this Act such rights as in his opinion shall be necessary for the preservation and protection of the water supply of the West Point Military Reservation, New York.

Approved, June 2, 1939.

# [CHAPTER 175]

## AN ACT

To amend certain sections of the National Housing Act.

June 3, 1939  
 [H. R. 5324]  
 [Public, No. 111]

National Housing Act, amendments.  
 52 Stat. 9.  
 12 U. S. C., Supp. IV, § 1703.  
 Insurance of financial institutions against losses.  
 Authority extended to July 1, 1941.

Financing of real property repairs and improvements.

Limitation on amount of insurance.

Total liability.

49 Stat. 1233.  
 12 U. S. C., Supp. IV, § 1706a.  
*Post*, p. 805.

Restrictions.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That subsections (a) and (b) of section 2 of the National Housing Act, as amended, are amended to read as follows:

"SEC. 2. (a) The Administrator is authorized and empowered upon such terms and conditions as he may prescribe, to insure banks, trust companies, personal finance companies, mortgage companies, building and loan associations, installment lending companies, and other such financial institutions, which the Administrator finds to be qualified by experience or facilities and approves as eligible for credit insurance, against losses which they may sustain as a result of loans and advances of credit, and purchases of obligations representing loans and advances of credit, made by them on and after July 1, 1939, and prior to July 1, 1941, for the purpose of financing alterations, repairs, and improvements upon or in connection with existing structures, and the building of new structures, upon urban, suburban, or rural real property (including the restoration, rehabilitation, rebuilding, and replacement of such improvements which have been damaged or destroyed by earthquake, conflagration, tornado, hurricane, cyclone, flood, or other catastrophe), by the owners thereof or by lessees of such real property under a lease expiring not less than six months after the maturity of the loan or advance of credit. In no case shall the insurance granted by the Administrator under this section to any such financial institution on loans, advances of credit, and purchases made by such financial institution for such purposes on and after July 1, 1939, exceed 10 per centum of the total amount of such loans, advances of credit, and purchases. The total liability which may be outstanding at any time plus the amount of claims paid in respect of all insurance heretofore and hereafter granted under this section and section 6, as amended, less the amount collected from insurance premiums and deposited in the Treasury of the United States under the provisions of subsection (f) of this section, shall not exceed in the aggregate \$100,000,000.

"(b) No insurance shall be granted under this section to any such financial institution with respect to any obligation representing any

such loan, advance of credit, or purchase by it (1) if the amount of such loan, advance of credit, or purchase exceeds \$2,500; (2) if such obligation has a maturity in excess of three years and thirty-two days, unless such loan, advance of credit, or purchase is for the purpose of financing the construction of a new structure for use in whole or in part for residential or agricultural purposes; or (3) unless the obligation bears such interest, has such maturity, and contains such other terms, conditions, and restrictions as the Administrator shall prescribe in order to make credit available for the purposes of this title."

SEC. 2. Section 2 of such Act, as amended, is further amended by adding at the end thereof the following new subsections:

"(f) The Administrator shall fix a premium charge for the insurance hereafter granted under this title, but in the case of any obligation representing any loan, advance of credit, or purchase, such premium charge shall not exceed an amount equivalent to three-fourths of 1 per centum per annum of the net proceeds of such loan, advance of credit, or purchase, for the term of such obligation, and such premium charge shall be payable in advance by the financial institution and shall be paid at such time and in such manner as may be prescribed by the Administrator. The moneys derived from such premium charges shall be deposited in an account in the Treasury of the United States, which account shall be available for defraying the operating expenses of the Federal Housing Administration under this title, and any amounts in such account which are not needed for such purpose may be used for the payment of claims in connection with the insurance granted under this title.

"(g) The Administrator is authorized and directed to make such rules and regulations as may be necessary to carry out the provisions of this title."

SEC. 3. Section 6 of such Act, as amended, is hereby repealed.

SEC. 4. The provisions of sections 1, 2, and 3 of this Act shall take effect on July 1, 1939.

SEC. 5. Section 202 of the National Housing Act, as amended, is hereby amended by striking out the word "create" and inserting in lieu thereof the word "created".

SEC. 6. Section 203 (a) of such Act, as amended, is amended to read as follows:

"SEC. 203. (a) The Administrator is authorized, upon application by the mortgagee, to insure as hereinafter provided any mortgage offered to him which is eligible for insurance as hereinafter provided, and, upon such terms as the Administrator may prescribe, to make commitments for the insuring of such mortgages prior to the date of their execution or disbursement thereon: *Provided*, That the aggregate amount of principal obligations of all mortgages insured under this title and outstanding at any one time shall not exceed \$3,000,000,000, except that with the approval of the President such aggregate amount may be increased to not to exceed \$4,000,000,000: *Provided further*, That the aggregate amount of principal obligations of all mortgages that cover property the construction of which was completed more than one year prior to the date of the application for insurance, and that are insured under this title after the effective date of this amendment and outstanding at any one time, shall not exceed 25 per centum of the total amount of the principal obligations of mortgages with respect to which insurance may be granted under this title after such effective date: *Provided further*, That on and after July 1, 1941, no mortgages shall be insured under this title except mortgages that cover property which is approved for mortgage insurance prior to the completion of the construction of such property, or which has been previously covered by a mortgage insured by the Administrator."

Amount of loan, etc.  
Maturity.

Interest.

48 Stat. 1246.  
12 U. S. C. § 1703;  
Supp. IV, § 1703.  
Premium charge;  
amount.

Advance payment.

Deposit of receipts;  
use.

Rules and regula-  
tions.

Section repealed.  
49 Stat. 1233.  
Effective dates of  
designated sections.

Textual correction.  
52 Stat. 10.  
12 U. S. C., Supp.  
IV, § 1708.

52 Stat. 10.  
10 U. S. C., Supp.  
IV, § 1709.

Insurance of mort-  
gages; authority of  
Administrator.

Prorisos.  
Aggregate amount  
of principal obliga-  
tions of insured mort-  
gages.

Property, construc-  
tion of which was  
completed more than  
one year prior to ap-  
plication for insurance.

Restrictions on in-  
surance of mortgages  
after July 1, 1941.

Maturity provisions; period extended.  
52 Stat. 11.  
52 Stat. 10.  
12 U. S. C., Supp.  
IV, § 1709.

Binding effect of contract.

Validity.

Mortgage refinancing existing mortgage; insurance provisions.

52 Stat. 13.  
12 U. S. C., Supp.  
IV, § 1710 (a).  
Determination of value of mortgage.  
Items included.

Proviso.  
Foreclosed mortgages of designated class accepted prior to July 1, 1941.  
52 Stat. 10.  
12 U. S. C., Supp.  
IV, § 1709 (b).

52 Stat. 12.  
12 U. S. C., Supp.  
IV, § 1710 (g).  
Conveyance of title, etc., to acquired property; authority of Administrator, etc.

SEC. 7. Paragraph (3) of section 203 (b) of such Act, as amended, is amended by striking out the words "until July 1, 1939".

SEC. 8. Section 203 of such Act, as amended, is further amended by adding at the end thereof the following new subsections:

"(e) Any contract of insurance heretofore or hereafter executed by the Administrator under this title shall be conclusive evidence of the eligibility of the mortgage for insurance, and the validity of any contract of insurance so executed shall be incontestable in the hands of an approved mortgagee from the date of the execution of such contract, except for fraud or misrepresentation on the part of such approved mortgagee.

"(f) No mortgage which in whole or in part refinances a then existing mortgage shall be insured under this section unless the mortgagor files with the application his certificate to the Administrator that prior to the making of the application the mortgagor applied to the holder of such existing mortgage for such refinancing and that, after reasonable opportunity such holder failed or refused to make a loan of a like amount and on as favorable terms as those of the loan secured by the mortgage offered for insurance after taking into account amortization provisions, commission, interest rate, mortgage insurance premium, and costs to the mortgagor for legal services, appraisal fees, title expenses, and similar charges."

SEC. 9. The last sentence of section 204 (a) of such Act, as amended, is amended to read as follows: "For the purposes of this subsection, the value of the mortgage shall be determined, in accordance with rules and regulations prescribed by the Administrator, by adding to the amount of the original principal obligation of the mortgage which was unpaid on the date of the institution of foreclosure proceedings, or on the date of the acquisition of the property after default other than by foreclosure, the amount of all payments which have been made by the mortgagee for taxes, ground rents, and water rates, which are liens prior to the mortgage, special assessments which are noted on the application for insurance or which become liens after the insurance of the mortgage, insurance on the mortgaged property, and any mortgage insurance premiums paid after either of such dates, and by deducting from such total amount any amount received on account of the mortgage after either of such dates, and any amount received as rent or other income from the property, less reasonable expenses incurred in handling the property, after either of such dates: *Provided*, That with respect to mortgages which are accepted for insurance prior to July 1, 1941, under section 203 (b) (2) (B) of this Act, and which are foreclosed before there shall have been paid on account of the principal obligation of the mortgage a sum equal to 10 per centum of the appraised value of the property as of the date the mortgage was accepted for insurance, there may be included in the debentures issued by the Administrator, on account of foreclosure costs actually paid by the mortgagee and approved by the Administrator an amount not in excess of 2 per centum of the unpaid principal of the mortgage as of the date of the institution of foreclosure proceedings, but in no event in excess of \$75."

SEC. 10. Section 204 (g) of such Act, as amended, is amended by adding at the end thereof the following new sentence: "The power to convey and to execute in the name of the Administrator deeds of conveyance, deeds of release, assignments and satisfactions of mortgages, and any other written instrument relating to real property or any interest therein heretofore or hereafter acquired by the Administrator pursuant to the provisions of this Act, may be exercised by the Administrator or by any Assistant Administrator appointed by him, without the execution of any express delegation of power or

power of attorney: *Provided*, That nothing in this subsection shall be construed to prevent the Administrator from delegating such power by order or by power of attorney, in his discretion, to any officer, agent, or employee he may appoint."

SEC. 11. The last sentence of section 205 (b) of such Act, as amended, is amended by inserting after "expenses incurred" the words "prior to July 1, 1939".

SEC. 12. The first sentence of section 207 (c) of such Act, as amended, is amended to read as follows:

"(c) To be eligible for insurance under this section a mortgage on any property or project shall involve a principal obligation in an amount—

"(1) Not to exceed \$5,000,000; and

"(2) Not to exceed 80 per centum of the amount which the Administrator estimates will be the value of the property or project when the proposed improvements are completed: *Provided*, That such mortgage shall not in any event exceed the amount which the Administrator estimates will be the cost of the completed physical improvements on the property or project, exclusive of the following: Public utilities and streets; taxes, interest, and insurance during construction; organization and legal expenses; and miscellaneous charges during or incidental to construction; and

"(3) Not to exceed \$1,350 per room for such part of such property or project as may be attributable to dwelling use.

The mortgage shall provide for complete amortization by periodic payments within such term as the Administrator shall prescribe, and shall bear interest (exclusive of premium charges for insurance) at not to exceed 4½ per centum per annum on the amount of the principal obligation outstanding at any time."

SEC. 13. Section 210 of such Act, as amended, is hereby repealed: *Provided*, That the Administrator is authorized to insure under said section any mortgage for the insurance of which an application has been filed with him prior to the effective date of this Act.

SEC. 14. Title II of the National Housing Act, as amended, is further amended by adding at the end thereof the following new section:

#### "LABOR STANDARDS

"SEC. 212. (a) The Administrator shall not insure under section 207 or section 210 of this title, pursuant to any application for insurance filed subsequent to the effective date of this section, a mortgage which covers property on which there is or is to be located a dwelling or dwellings, or a housing project, the construction of which was or is to be commenced subsequent to such date, unless the principal contractor files a certificate or certificates (at such times, in course of construction or otherwise, as the Administrator may prescribe) certifying that the laborers and mechanics employed in the construction of the dwelling or dwellings or the housing project involved have been paid not less than the wages prevailing in the locality in which the work was performed for the corresponding classes of laborers and mechanics employed on construction of a similar character, as determined by the Secretary of Labor prior to the beginning of construction and after the date of the filing of the application for insurance.

"(b) The Administrator is authorized to make such rules and regulations as may be necessary to carry out the provisions of this section.

"(c) There is hereby authorized to be appropriated for the remainder of the fiscal year ending June 30, 1939, and for each fiscal year

*Proviso.*  
Delegation of power, etc.

General reinsurance account, allocation of general expenses.  
52 Stat. 15.

52 Stat. 18.

Rental housing insurance.

Maximum amount.  
Not to exceed 80 per centum of completed value.

*Proviso.*  
Mortgage not to exceed estimate; items excepted.

Amount per room, etc.

Amortization and interest.

Multifamily, etc., dwellings; section repealed.  
52 Stat. 22.

*Proviso.*  
Applications filed prior to effective date of this Act.  
52 Stat. 9, 23.  
12 U. S. C., Supp. IV, §§ 1707-1715b.

Prevailing wage provisions.

Rules and regulations.

Appropriations authorized.



thereafter, a sum sufficient to meet all necessary expenses of the Department of Labor in making the determinations provided for in subsection (a)."

National mortgage associations.  
48 Stat. 1253.  
12 U. S. C. § 1716 (b).  
Issuance of certificate of approval to incorporators of.

SEC. 15. The last sentence of section 301 (b) of such Act, as amended, is amended to read as follows: "If the Administrator is of the opinion that the establishment of such an association is desirable to provide a market for mortgages insured under title II and is in the public interest, that the incorporators transmitting the articles of association are responsible persons, and that such articles of association are satisfactory in all respects, he may issue or cause to be issued to such incorporators a certificate of approval, and the association shall become, as of the date of issuance of such certificate, a body corporate by the name set forth in its articles of association."

48 Stat. 1253.  
12 U. S. C. § 1716 (c).

Operations of national mortgage associations; areas extended.

SEC. 16. Paragraph (4) of section 301 (c) of such Act, as amended, is amended to read as follows:

"(4) To conduct its business in any State of the United States, or in the District of Columbia, Alaska, Hawaii, or Puerto Rico, and to have one or more officers in such State, or in the District of Columbia, Alaska, Hawaii, or Puerto Rico, one of which officers shall be designated at the time of organization as its principal office."

Approved, June 3, 1939.

#### [CHAPTER 176]

#### AN ACT

June 3, 1939  
[H. R. 5485]  
[Public, No. 112]

Permitting the War Department to transfer old horses and mules to the care of reputable humane organizations.

Government horses and mules.  
52 Stat. 693.  
40 U. S. C., Supp. IV, § 311b.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act of June 15, 1938, to require that horses and mules belonging to the United States which have become unfit for service be destroyed or put to pasture, be amended to read as follows:

Disposition of un-serviceable.

"That notwithstanding the first proviso in the fourth paragraph under the heading 'Division of Supply' in title I of the Act entitled 'An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1930, and for other purposes', approved December 20, 1928 (45 Stat. 1030), horses and mules belonging to the United States which have become unfit for service may be destroyed or put out to pasture, either on the pastures belonging to the United States Government or those belonging to financially sound and reputable humane organizations whose facilities permit them to care for them during the remainder of their natural life, at no cost to the Government."

45 Stat. 1030.  
40 U. S. C. § 311a.

Transfer of, to care of reputable humane organizations.

Approved, June 3, 1939.

#### [CHAPTER 180]

#### AN ACT

June 5, 1939  
[S. 2314]  
[Public, No. 113]

To establish the position of Under Secretary in the Department of Commerce.

Department of Commerce.  
Under Secretary; position established, compensation, appointment.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby established in the Department of Commerce the position of Under Secretary of Commerce with compensation at the rate of \$10,000 per annum and with appointment thereto by the President, by and with the advice and consent of the Senate.

Duties, etc.

SEC. 2. Such Under Secretary shall perform the duties of the Secretary of Commerce in the case of absence or sickness of the Secretary, or in the case of the death or resignation of the Secretary until a successor is appointed.

SEC. 3. Whenever a vacancy shall occur in any one of the two positions of Assistant Secretary heretofore established in the Department of Commerce, such vacancy shall not be filled and there shall thereafter be only one position of Assistant Secretary in such Department.

Approved, June 5, 1939.

Vacancy occurring in either position of Assistant Secretary.

[CHAPTER 181]

JOINT RESOLUTION

To define the status of the Under Secretary of Agriculture, and for other purposes.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Under Secretary of Agriculture is authorized to exercise the functions and perform the duties of the first assistant of the Secretary of Agriculture within the meaning of section 177 of the Revised Statutes of the United States (U. S. C., title 5, sec. 4) and shall perform such other duties as may be required by law or prescribed by the Secretary of Agriculture.

Approved, June 5, 1939.

June 5, 1939  
[H. J. Res. 189]  
[Pub. Res., No. 18]

Department of Agriculture.  
Under Secretary; functions and duties.

R. S. § 177.  
5 U. S. C. § 4.

[CHAPTER 184]

AN ACT

To prohibit the unauthorized use of the name or insignia of the 4-H clubs, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it shall be unlawful for any person falsely and with intent to defraud to hold himself out as or represent or pretend himself to be a member of, associated with, or an agent or representative for the 4-H clubs, an organization established by the Extension Service of the United States Department of Agriculture and the land grant colleges, for any purpose whatsoever; or for any person with intent to defraud to wear or display the sign or emblem of said 4-H clubs or any insignia in colorable imitation thereof for the purpose of inducing the belief that he is a member of, associated with, or an agent or representative for said 4-H clubs. It shall be unlawful for any person other than said 4-H clubs and those duly authorized by them, the representatives of the United States Department of Agriculture, the land grant colleges, and persons authorized by the Secretary of Agriculture, to use within the territory of the United States of America and its exterior possessions, for the purpose of trade or as an advertisement to induce the sale of any article whatsoever or for any business or charitable purpose, the recognized emblem of said 4-H clubs, consisting of a green four-leaf clover with stem and the letter H in white or gold on each leaflet, or any sign, insignia, or symbol in colorable imitation thereof, or the words "4-H Club" or "4-H Clubs" or any combination of these or other words or characters in colorable imitation thereof. If any person violates any provision of this Act, he shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$300 or imprisoned not more than six months, or both, for each and every offense.

SEC. 2. The term "person" includes individuals, partnerships, corporations, and associations.

Approved, June 5, 1939.

June 5, 1939  
[H. R. 913]  
[Public, No. 114]

4-H clubs.  
Unauthorized use of name or insignia prohibited.

Penalty for violation.

"Person" defined.

## [CHAPTER 185]

## AN ACT

To authorize certain officers and employees to administer oaths to expense accounts.

June 6, 1939  
[H. R. 3646]  
[Public, No. 115]

Oaths to expense ac-  
counts.  
37 Stat. 487.  
5 U. S. C. § 97.

Officers and em-  
ployees authorized to  
administer.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 8 of the Sundry Civil Appropriation Act for the fiscal year ending June 30, 1913, approved August 24, 1912 (37 Stat. 487), be, and it is hereby, amended to read as follows:

"SEC. 8. Postmasters, assistant postmasters, collectors of customs, collectors of internal revenue, chief clerks of the various executive departments, independent establishments, and other Government agencies, or of bureaus thereof, the superintendent, the acting superintendent, custodian, and principal clerks of the various national parks and other Government reservations, superintendent, acting superintendent, and principal clerks of the different Indian superintendencies or Indian agencies, chiefs of field parties, and any officer or employee of any executive department, independent establishment, or other Government agency, in the District of Columbia or elsewhere, who shall have been designated in writing for such purpose by the head of the department, establishment, or agency concerned, are required, empowered, and authorized, when requested, to administer oaths, required by law or otherwise, to accounts for travel or other expenses against the United States, with like force and effect as officers having a seal; for such services when so rendered, or when rendered on demand by notaries public, who at the time are also salaried officers or employees of the United States, no charge shall be made; and no fee or money paid for the services herein described shall be paid or reimbursed by the United States."

Approved, June 6, 1939.

## [CHAPTER 186]

## AN ACT

To amend section 509 of the Merchant Marine Act, 1936, as amended.

June 6, 1939  
[H. R. 5766]  
[Public, No. 116]

Merchant Marine  
Act, 1936, amend-  
ments.  
49 Stat. 2000; 52 Stat.  
959.  
46 U. S. C., Supp.  
IV, § 1159.  
Construction of new  
vessels.  
Terms and condi-  
tions; no construction-  
differential subsidy al-  
lowed.  
Payment require-  
ments on designated  
vessels.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 509 of the Merchant Marine Act, 1936, as amended (52 Stat. 959; U. S. C., 1934 edition, Supp. IV, title 46, sec. 1159), is amended as follows:

(1) By amending the second sentence thereof to read as follows: "If such application is approved by the Commission, the vessel may be constructed under the terms and conditions of this title, but no construction-differential subsidy shall be allowed."; and

(2) By amending so much of the fourth sentence thereof as precedes the first semicolon therein to read as follows: "In case the vessel is designed to be of not less than three thousand five hundred gross tons and to be capable of a sustained speed of not less than fourteen knots, the applicant shall be required to pay the Commission not less than 12½ per centum of the cost of such vessel, and in the case of any other vessel the applicant shall be required to pay the Commission not less than 25 per centum of the cost of such vessel (excluding from such cost, in either case, the cost of national-defense features);".

Approved, June 6, 1939.

## [CHAPTER 190]

## AN ACT

To provide for the common defense by acquiring stocks of strategic and critical materials essential to the needs of industry for the manufacture of supplies for the armed forces and the civilian population in time of a national emergency, and to encourage, as far as possible, the further development of strategic and critical materials within the United States for common defense.

June 7, 1939

[S. 572]

[Public, No. 117]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the natural resources of the United States in certain strategic and critical materials being deficient or insufficiently developed to supply the industrial, military, and naval needs of the country for common defense, it is the policy of Congress and the purpose and intent of this Act to provide for the acquisition of stocks of these materials and to encourage the development of mines and deposits of these materials within the United States, and thereby decrease and prevent wherever possible a dangerous and costly dependence of the United States upon foreign nations for supplies of these materials in times of national emergency.

Acquisition of certain strategic and critical materials.  
Declaration of policy.

SEC. 2. To effectuate the policy set forth in section 1 hereof the Secretary of War, the Secretary of the Navy, and the Secretary of the Interior, acting jointly through the agency of the Army and Navy Munitions Board, are hereby authorized and directed to determine which materials are strategic and critical under the provisions of this Act and to determine the quality and quantities of such materials which shall be purchased within the amount of the appropriations authorized by this Act. In determining the materials which are strategic and critical and the quality and quantities of same to be purchased the Secretaries of State, Treasury, and Commerce shall each designate representatives to cooperate with the Secretary of War, the Secretary of the Navy, and the Secretary of the Interior in carrying out the provisions of this Act.

Army and Navy Munitions Board, determination of strategic and critical materials.

Quality and quantities to be purchased.

Cooperation of designated Departments.

SEC. 3. The Secretary of War and the Secretary of the Navy, when they deem such action appropriate because the domestic production or supply of any of the above materials is insufficient to meet the industrial, military, and naval needs of the country, shall direct the Secretary of the Treasury, through the medium of the Procurement Division of his Department and from the funds authorized by the provisions of this Act, to make purchases of such materials in accordance with specifications prepared by the Procurement Division of the Treasury Department and approved by the Secretary of War and the Secretary of the Navy, and to provide for the storage and maintenance, and, where necessary to prevent deterioration, for the rotation of such materials. To accomplish such rotation, the Secretary of the Treasury, with the approval of the Secretary of War and the Secretary of the Navy, is authorized to replace acquired stocks of any such material subject to deterioration by equivalent quantities of the same material in such manner as he deems will best serve the purposes of this Act. The Secretary of the Treasury is empowered to meet, out of the funds authorized in this Act, expenses necessary to accomplish such rotation. The Secretary shall include in his annual report to Congress a detailed statement of expenditures made under this section and the method of rotation employed. The materials so purchased shall be stored by the Procurement Division of the Treasury Department on military and naval reservations or in other locations approved by the Secretary of War and the Secretary of the Navy.

Purchases by Treasury Department when domestic production or supply insufficient to meet needs.

Storage and maintenance.

Replacement of stocks of material subject to deterioration.

Annual report of expenditures and method of rotation employed.

SEC. 4. Materials acquired under this Act except for rotation to prevent deterioration shall be used only upon the order of the Presi-

Use restricted.

Purchases of American materials.  
47 Stat. 1520,  
41 U. S. C. §§ 10a-10c.  
Period allowed for production and delivery from domestic sources.

Appropriation authorized, fiscal years 1939-1943.  
*Post*, p. 1326.

Supervision of expenditure.

Investigations with respect to development of domestic mineral resources.

Treatment and utilization of lower grade reserves, substitutes, etc.

Funds authorized for fiscal years 1940-1943.  
*Post*, p. 1317.

Specific allotments.

dent in time of war, or when he shall find that a national emergency exists with respect to national defense as a consequence of the threat of war.

SEC. 5. Purchases under this Act shall be made in accordance with Title III of the Act of March 3, 1933 (47 Stat. 1520), but a reasonable time (not to exceed one year) shall be allowed for production and delivery from domestic sources and in the case of any such material available in the United States but which has not been developed commercially, the Secretary of War and the Secretary of the Navy may, if they find that the production of such material is economically feasible, direct the purchase of such material without requiring the vendor to give bond.

SEC. 6. For the procurement, transportation, maintenance, rotation, and storage of the materials to be acquired under this Act, there is hereby authorized to be appropriated the sum of \$100,000,000, out of any money in the Treasury not otherwise appropriated, during the fiscal years June 30, 1939, to and including June 30, 1943, to be expended under the joint direction of the Secretary of War and the Secretary of the Navy.

SEC. 7. (a) That the Secretary of the Interior, through the Director of the Bureau of Mines and the Director of the Geological Survey, is hereby authorized and directed to make scientific, technologic, and economic investigations concerning the extent and mode of occurrence, the development, mining, preparation, treatment, and utilization of ores and other mineral substances found in the United States or its Territories or insular possessions, which are essential to the common defense or the industrial needs of the United States, and the quantities or grades of which are inadequate from known domestic sources, in order to determine and develop domestic sources of supply, to devise new methods for the treatment and utilization of lower grade reserves, and to develop substitutes for such essential ores and mineral products; to explore and develop, on public lands and on privately owned lands, with the consent of the owner, deposits of such minerals, including core drilling, trenching, test-pitting, shaft sinking, drifting, cross-cutting, sampling, and metallurgical investigations and tests as may be necessary to determine the extent and quality of such deposits, the most suitable methods of mining and beneficiating them, and the cost at which the minerals or metals may be produced.

(b) For the purposes of carrying out the provisions of this section there is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated, for each of the fiscal years ending June 30, 1940, 1941, 1942, and 1943, the sum of \$500,000, of which amount \$350,000 shall be appropriated to the Bureau of Mines and \$150,000 to the Geological Survey.

Approved, June 7, 1939.

#### [CHAPTER 191]

#### AN ACT

To amend the Act entitled "An Act to provide books for the adult blind", approved March 3, 1931.

June 7, 1939  
[H. R. 5136]  
[Public, No. 118]

Books, etc., for adult blind.

46 Stat. 1487.  
2 U. S. C. § 135a;  
Supp. IV, § 135a.  
Purchase of, preference to certain institutions or agencies.  
R. S. § 3709.  
41 U. S. C. § 5.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 1 of the Act entitled "An Act to provide books for the adult blind", approved March 3, 1931, as amended (U. S. C., 1924 edition, Supp. IV, title 2, sec. 135a), is amended by adding at the end thereof the following new sentence: "In the purchase of such books, the Librarian of Congress, without reference to section 3709 of the Revised Statutes (U. S. C., 1934 edition, title 41, sec. 5), shall give preference to non-profit-making institutions or agencies whose activities are primarily con-

cerned with the blind, in all cases where the prices or bids submitted by such institutions or agencies are, by said Librarian, under all the circumstances and needs involved, determined to be fair and reasonable."

Approved, June 7, 1939.

## [CHAPTER 192]

## JOINT RESOLUTION

Authorizing the President of the United States to accept on behalf of the United States a conveyance of certain lands on Government Island from the city of Alameda, California, and for other purposes.

June 7, 1939  
[H. J. Res. 171]  
[Pub. Res., No. 19]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States is hereby authorized to accept on behalf of the United States, without cost to the United States other than a nominal consideration of \$1 and expenses incident to procuring abstract of title, the examination of title, and the preparation, execution, and recording of necessary transfer papers, all of which expenses are hereby authorized to be paid out of administrative funds available from the Federal Highway Act, as amended or supplemented, but subject otherwise to the provisions of section 355 of the Revised Statutes, title in fee simple to thirty-five acres, more or less, of lands above the low-water mark, forming a part of what is known as Government Island, as described and proposed by ordinance numbered 681, new series, to be conveyed to the United States by the city of Alameda, California, to be used for public purposes of the Government of the United States.

Alameda, Calif.  
Acceptance of certain lands from, authorized.

42 Stat. 212.  
23 U. S. C. §§ 1-25;  
Supp. IV, ch. 1.  
R. S. § 355.  
33 U. S. C. § 733.

SEC. 2. The President of the United States is authorized to permit the lands conveyed to the United States pursuant to this resolution to be used for such Government purposes as he may deem advisable.

Use of conveyed lands.

Approved, June 7, 1939.

## [CHAPTER 193]

## JOINT RESOLUTION

Providing that reorganization plans numbered I and II shall take effect on July 1, 1939.

June 7, 1939  
[S. J. Res. 138]  
[Pub. Res., No. 20]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the provisions of reorganization plan numbered I, submitted to the Congress on April 25, 1939, and the provisions of reorganization plan numbered II, submitted to the Congress on May 9, 1939, shall take effect on July 1, 1939, notwithstanding the provisions of the Reorganization Act of 1939.

Reorganization plans Nos. I and II; effective date.  
*Post*, pp. 1423, 1431.

*Ante*, p. 562.

SEC. 2. Nothing in such plans or this joint resolution shall be construed as having the effect of continuing any agency or function beyond the time when it would have terminated without regard to such plans or this joint resolution or of continuing any function beyond the time when the agency in which it was vested would have terminated without regard to such plans or this joint resolution.

Continuation of agency or function after termination date, restriction.

Approved, June 7, 1939.

## [CHAPTER 195]

## AN ACT

June 8, 1939  
[S. 588]  
[Public, No. 119]

To provide for an additional midshipman at the United States Naval Academy, and for other purposes.

Naval Academy.  
Appointment of additional midshipman on recommendation of Governor of Panama Canal.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there shall be at the United States Naval Academy one midshipman to be selected from among the sons of civilians residing in the Canal Zone and the sons of civilian employees of the United States Government and the Panama Railroad Company residing in the Republic of Panama, whose appointment shall be made by the Secretary of the Navy on the recommendation of the Governor of the Panama Canal.

Approved, June 8, 1939.

## [CHAPTER 196]

## AN ACT

June 10, 1939  
[S. 499]  
[Public, No. 120]

To amend the Act entitled "An Act making appropriations for the naval service for the fiscal year ending June thirtieth, nineteen hundred and ten, and for other purposes", approved March 3, 1909, as amended, so as to extend commissary privileges to civilian officers and employees of the United States at naval stations beyond the continental limits of the United States or in Alaska.

Navy.  
35 Stat. 768; 50 Stat. 63.  
34 U. S. C. § 533; Supp. IV, § 533.

Procurement and sale of stores to certain officers and men and to civilian employees.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That such part of the Act of March 3, 1909 (ch. 255, 35 Stat. 768; U. S. C., title 34, sec. 533), as amended by the Act of April 14, 1937 (50 Stat. 63), which provides—

"That hereafter such stores as the Secretary of the Navy may designate may be procured and sold to officers and enlisted men of the Navy, Marine Corps, and Coast Guard; to the widows of such officers and enlisted men; to civilian employees of the Navy Department and to officers of the Foreign Service of the United States at naval stations beyond the continental limits of the United States and in Alaska, under such regulations as the Secretary of the Navy may prescribe." is further amended to read as follows:

Privileges extended.

"That hereafter such stores as the Secretary of the Navy may designate may be procured and sold to officers and enlisted men of the Navy, Marine Corps, and Coast Guard; to the widows of such officers and enlisted men; and to civilian officers and employees of the United States at naval stations and post exchanges beyond the continental limits of the United States or in Alaska, under such regulations as the Secretary of the Navy may prescribe."

Approved, June 10, 1939.

## [CHAPTER 197]

## AN ACT

June 13, 1939  
[S. 189]  
[Public, No. 121]

To provide for the confiscation of firearms in possession of persons convicted of felony and disposition thereof.

Firearms.  
Confiscation and disposal of, in possession of persons convicted of certain felonies.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That when any person is convicted in any court of the United States of any of the crimes of murder, manslaughter, felonious assault, rape, killing or assaulting a Federal officer, robbery, burglary, bank robbery, killing or kidnaping in committing bank robbery or in avoiding or attempting to avoid apprehension for the commission of bank robbery or in freeing one's self or attempting to free one's self from arrest or confinement for bank robbery, transporting or causing to be transported a kidnaped person in interstate or foreign commerce, trans-

porting or causing to be transported a stolen motor vehicle in interstate or foreign commerce, or any felony perpetrated in whole or in part by the use of firearms, or an attempt to commit any of the foregoing crimes, the court in its judgment of conviction may, in addition to the penalty or penalties prescribed by law for the punishment of such crime or crimes, order the confiscation and disposal of firearms and ammunition found in the possession or under the immediate control of such person at the time of his arrest. The court may direct the delivery of such firearms or ammunition to the law-enforcement agency which apprehended such person, for its use or for any other disposition in its discretion.

Approved, June 13, 1939.

Additional to other penalties.

Delivery to agency apprehending such person, etc.

# [CHAPTER 198]

## AN ACT

To add certain lands of the Front Royal Quartermaster Depot Military Reservation, Virginia, to the Shenandoah National Park, and for other purposes.

June 13, 1939  
[S. 509]

[Public, No. 122]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following-described lands of the Front Royal Quartermaster Depot Military Reservation, Virginia, are hereby made a part of the Shenandoah National Park, subject to all laws and regulations applicable thereto: Beginning at concrete monument numbered 10 in the boundary line of the Front Royal Remount Depot, and running thence along said boundary line, north 70 degrees 00 minutes west 3,465.0 feet to monument numbered 11, thence north 40 degrees 30 minutes west 1,881.0 feet to monument numbered 12, thence north 2 degrees 00 minutes west 792.0 feet to monument numbered 13, thence north 78 degrees 00 minutes west 693.0 feet to monument numbered 14, thence south 1 degree 30 minutes west 379.5 feet to monument numbered 15, thence south 61 degrees 15 minutes west 2,244.0 feet to monument numbered 16, thence south 16 degrees 00 minutes east 2,640.0 feet to monument numbered 17, thence south 61 degrees 15 minutes west 3,333.0 feet to monument numbered 18, thence south 15 degrees 00 minutes east 646.8 feet to monument numbered 19, thence south 63 degrees 00 minutes west 627.0 feet to monument numbered 20, thence south 15 degrees 00 minutes west 1,254.0 feet to monument numbered 21, thence south 48 degrees 00 minutes east 3,267.0 feet to monument numbered 22, thence north 34 degrees 00 minutes east 297.0 feet to monument numbered 23, thence north 25 degrees 00 minutes west 1,551.0 feet to monument numbered 24, thence north 67 degrees 00 minutes east 1,716.0 feet to monument numbered 25, thence north 58 degrees 00 minutes east 2,862.75 feet to monument numbered 26, thence north 79 degrees 00 minutes east 2,377.15 feet to monument numbered 27, thence south 28 degrees 30 minutes west 338.25 feet to monument numbered 28 (offset 4 feet west), thence south 30 degrees 00 minutes west 462.0 feet to monument numbered 29 (offset 14 feet east), thence south 40 degrees 00 minutes west 396.0 feet to monument numbered 30 (offset 9.0 feet east), thence south 54 degrees 00 minutes west 132.0 feet to monument numbered 31 (offset 10.0 feet east), thence south 75 degrees 00 minutes west 429.0 feet to monument numbered 32, thence south 62 degrees 00 minutes west 297.0 feet to monument numbered 33 (offset 3.0 feet southeast), thence south 41 degrees 00 minutes west 462.0 feet to monument numbered 34 (offset 5.0 feet south), thence south 53 degrees 00 minutes west 264.0 feet to monument numbered 35 (offset 4 feet south), thence south 80 degrees 00 minutes west 165.0 feet to monument numbered 36 (offset 8.0 feet south), thence north 85 degrees 00 minutes west 396.0 feet to monument numbered 37

Shenandoah National Park, Va.  
Certain lands of Front Royal Quartermaster Depot Military Reservation added to.  
Description.



(offset 9.0 feet north), south 40 degrees 00 minutes west 354.75 feet to monument numbered 38, thence south 27 degrees 00 minutes east 1,023.0 feet to monument numbered 39, thence north 73 degrees 30 minutes east, 1,518.0 feet to monument numbered 40, thence north 52 degrees 00 minutes east 330.0 feet to monument numbered 41, thence along a proposed boundary line north 19 degrees 51 minutes east 1,684.5 feet to point A.1, thence north 52 degrees 20 minutes east 1,107.0 feet to point A.2, thence north 39 degrees 26 minutes east 717.5 feet to a point A.3, thence north 26 degrees 11 minutes east 1,978.0 feet to concrete monument numbered 10, the point of beginning, it being the intent of this Act to add to the Shenandoah National Park all that portion of the Front Royal Quartermaster Depot Military Reservation lying west of a line between monuments numbered 41 and 10, as described by the last four courses of the above description. The tract as described contains an area 977½ acres, more or less.

Approved, June 13, 1939.

[CHAPTER 199]

AN ACT

To authorize the use of War Department equipment for the Confederate Veterans' 1939 reunion at Trinidad, Colorado, August 22, 23, 24, and 25, 1939.

June 13, 1939  
[S. 1243]  
[Public, No. 123]

United Confederate Veterans.  
Loan of War Department equipment for reunion at Trinidad, Colo.

*Provides.*  
No Federal expense.

Bond.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized to lend, at his discretion, to the reunion committee of the United Confederate Veterans, for use at the National Confederate Veterans' reunion, to be held at Trinidad, Colorado, August 22, 23, 24, and 25, 1939, two hospital ward tents, with all pegs, poles, and equipment necessary for their erection; one storage tent complete with all equipment; one large wall tent complete with all equipment; six small wall tents complete with all equipment; ten pyramidal tents complete with all equipment; fifty 14-quart G. I. buckets; two thousand blankets, olive drab, wool; one thousand cots, iron; one thousand comforters; one thousand cotton-felted pillows complete with cotton pillowcases; two thousand cotton bedsheets: *Provided*, That no expense shall be caused the United States Government by the delivery and return of said property; the same to be delivered from the nearest quartermaster depot at such time prior to the holding of said reunion as may be agreed upon by the Secretary of War and the Confederate Reunion Committee: *Provided further*, That the Secretary of War, before delivery of such property, shall take from said reunion committee of the United Confederate Veterans a good and sufficient bond for the safe return of said property in good order and condition, and the whole without expense to the United States.

Approved, June 13, 1939.

[CHAPTER 200]

AN ACT

To authorize the conveyance by the United States to the town of Bristol, Maine, of a portion of the Pemaquid Point Lighthouse Reservation, and for other purposes.

June 13, 1939  
[S. 1409]  
[Public, No. 124]

Pemaquid Point Lighthouse Reservation, Maine.  
Conveyance of portion to Bristol, Maine.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, subject to the conditions hereinafter specified, the Secretary of the Treasury is authorized to convey at any time within three years of the effective date of this Act to the town of Bristol, Maine, for public-park pur-

poses all the right, title, and interest of the United States in and to that portion of the Pemaquid Point Lighthouse Reservation, Lincoln County, Maine, which is not required to be retained for lighthouse purposes subject to the payment of a purchase price to be determined by the Treasury Department: *Provided*, That the total purchase price shall not be less than 50 per centum of the appraised value of the land and buildings thereon, except the light tower, and the Secretary of the Treasury may enter into a long-term contract for the payment of the purchase price in such installments as he deems fair and reasonable and may furthermore waive any requirement for interest charges on deferred payments: *Provided further*, That the proceeds of the sale shall be deposited in the Treasury as miscellaneous receipts. The Secretary of the Treasury shall describe by metes and bounds in the deed of conveyance the exact portion of such reservation transferred.

SEC. 2. Such conveyance shall contain the express condition that if the town of Bristol shall at any time cease to use the property as a park for public recreation, or shall alienate or attempt to alienate such property, or shall fail to perform any contract entered into with the United States for the purchase of the property, title thereto shall revert to the United States for the use of the Lighthouse Service, Commerce Department, or other agencies of the United States, or for disposal under the Act of August 27, 1935 (49 Stat. 885; U. S. C., title 40, sec. 304a), or under the Act of August 26, 1935 (49 Stat. 800; U. S. C., title 40, sec. 345).

Approved, June 13, 1939.

*Provisos.*  
Purchase price.

Use of proceeds of sale.

Deed to describe portion transferred.

Reversionary provision.

49 Stat. 885, 800.  
40 U. S. C., Supp.  
IV, §§ 304a, 345b.

## [CHAPTER 201]

### AN ACT

To amend the United States mining laws applicable to the area known as the watershed of the headwaters of the Bonito River in the Lincoln National Forest within the State of New Mexico.

June 13, 1939  
[S. 1879]  
[Public, No. 125]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That hereafter mining locations made under the United States mining laws upon lands within the watershed of the headwaters of the Bonito River in the Lincoln National Forest within the State of New Mexico, specifically described as those certain pieces or parcels of land situate, lying, and being in the county of Lincoln, State of New Mexico, described as follows:

The east half east half section 12, east half east half section 13, east half northeast quarter section 24, township 10 south, range 10 east, New Mexico principal meridian; southeast quarter section 25, southwest quarter section 26, south half section 27, southeast quarter and south half southwest quarter section 28, southeast quarter section 31, and all of sections 32, 33, 34, 35, and 36, township 9 south, range 11 east, New Mexico principal meridian; all of sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 27, 28, and 29, north half section 19, north half and southwest quarter section 24, northwest quarter section 26, north half northeast quarter section 32, and north half north half section 33, township 10 south, range 11 east, New Mexico principal meridian; southwest quarter section 25, south half of fractional section 26, all of fractional section 35, and all of section 36, township 9 south, range 12 east, New Mexico principal meridian; all of section 1, all of fractional section 2, all of fractional section 11, all of section 12, all of section 13, all of fractional section 14, north half of fractional section 23, and north half section 24, township 10 south, range 12 east, New Mexico principal meridian;

Lincoln National Forest, N. Mex.  
Mining locations upon certain lands within, limitation on use of surface.

Description.

*Proviso.*  
Cutting and re-  
moval of timber.

Regulations appli-  
cable to use of surface,  
etc.

Patents, title and  
rights conveyed un-  
der.

Reservation of title  
to surface, etc.

Valid existing min-  
ing claims.

having an area of approximately thirty-nine and three hundred and seventy-six one-thousandths square miles, shall confer on the locator the right to occupy and use only so much of the surface of the land covered by the location as may be reasonably necessary to carry on prospecting and mining, including the taking of mineral deposits and timber required by or in the mining operations, and no permit shall be required or charge made for such use or occupancy: *Provided, however,* That the cutting and removal of timber, except where clearing is necessary in connection with mining operations or to provide space for buildings or structures used in connection with mining operations, shall be conducted in accordance with the rules for timber cutting on adjoining national-forest land, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining and prospecting shall be allowed except under the national-forest rules and regulations, nor shall the locator prevent or obstruct other occupancy of the surface or use of surface resources under authority of national-forest regulations, or permits issued thereunder, if such occupancy or use is not in conflict with mineral development.

SEC. 2. That hereafter all patents issued under the United States mining laws affecting lands within the watershed of headwaters of the Bonito River in the Lincoln Forest, in the State of New Mexico, shall convey title to the mineral deposits within the claim, together with the right to cut and remove so much of the mature timber therefrom as may be needed in extracting and removing the mineral deposits, if the timber is removed in accordance with the rules for timber cutting on adjoining national-forest land, but each patent shall reserve to the United States all title in or to the surface of the lands and products thereof, and no use of the surface of the claim or the resources therefrom not reasonably required for carrying on mining or prospecting shall be allowed except under the rules and regulations of the Department of Agriculture.

SEC. 3. That valid mining claims within the watershed of the headwaters of the Bonito River in the Lincoln National Forest, within the State of New Mexico, as above described, existing on the date of the enactment of this Act and thereafter maintained in compliance with the law under which they were initiated and the laws of the State of New Mexico, may be perfected under this Act or under the laws under which they were initiated, as the claimant may desire.

Approved, June 13, 1939.

#### [CHAPTER 202]

#### AN ACT

To convey certain property to the city of El Campo, Texas.

June 13, 1939  
[S. 1982]

[Public, No. 126]

El Campo, Tex.  
Conveyance of land  
to.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury is authorized and directed to convey to the city of El Campo, Texas, all the right, title, and interest of the United States in a strip of land on the west side of the present post-office site fifty feet wide and two hundred feet long between Railroad Avenue and First Street. Such conveyance shall be subject to the express condition that the land be used for street purposes.

Approved, June 13, 1939.

## [CHAPTER 203]

## AN ACT

To add certain lands to the Papago Indian Reservation in Arizona.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is hereby authorized to purchase for the use and benefit of the Papago Indians with any funds heretofore or hereafter appropriated pursuant to authority contained in section 5 of the Act of June 18, 1934 (48 Stat. 984), notwithstanding any general limitation in Acts making such appropriations against the use of the appropriated funds for the acquisition of lands outside of Indian reservations in Arizona, all privately owned lands, water rights, and improvements within the south half of section 9, township 14 south, range 11 east, Gila and Salt River base and meridian, containing three hundred and twenty acres, more or less, in the State of Arizona, at the appraised value of \$5,570.

SEC. 2. Title to the lands shall be taken in the name of the United States in trust for the Papago Tribe, and the lands, when purchased, shall become a part of the Papago Indian Reservation.

Approved, June 13, 1939.

June 13, 1939

[S. 2149]

[Public, No. 127]

Papago Indian Reservation, Ariz.  
Purchase of lands authorized.

48 Stat. 985.  
25 U. S. C. § 465.

Title.

Acquisition to become part of reservation.

## [CHAPTER 204]

## AN ACT

To authorize the disposal of the Portland, Oregon, old courthouse building.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the proviso reading as follows: "*Provided*, That the present Federal building and site at Morrison, Fifth, Yamhill, and Sixth Streets shall not be sold for an amount less than \$1,750,000", limiting the paragraph making an appropriation for a courthouse and so forth, at Portland, Oregon, in the Act entitled "An Act making appropriations for the Treasury and Post Office Departments for the fiscal year ending June 30, 1929, and for other purposes", approved March 5, 1928 (Public, Numbered 93, Seventieth Congress; 45 Stat. 181), shall not apply to any contract providing for the demolition of said building which does not involve a sale of the land upon which the building is located.

Approved, June 13, 1939.

June 13, 1939

[S. 2404]

[Public, No. 128]

Portland, Oreg.  
Disposal of old Federal building.

45 Stat. 181.

## [CHAPTER 205]

## AN ACT

To authorize commissioning aviation cadets in the Naval and Marine Corps Reserves upon completion of training, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "Naval Aviation Reserve Act of 1939" and shall take effect on July 1, 1939.

SEC. 2. Aviation cadets may, if qualified after completion of training, be commissioned ensigns in the Naval Reserve or second lieutenants in the Marine Corps Reserve.

SEC. 3. Ensigns or second lieutenants commissioned pursuant to this Act may, after three years of service as such and if found qualified after such examinations as the Secretary of the Navy may prescribe, be commissioned lieutenants (junior grade) in the Naval Reserve or first lieutenants in the Marine Corps Reserve,

June 13, 1939

[H. R. 5765]

[Public, No. 129]

Naval Aviation Reserve Act of 1939.

Aviation cadets, commissions after completion of training.

Promotions.

<i>Proviso.</i> Service credits.	respectively: <i>Provided</i> , That the active duty of aviation cadets subsequent to completion of their active duty while undergoing training shall be counted as such service for the purposes of promotions authorized by this section.
Commencement of commissioned service.	SEC. 4. All members of a class of aviation cadets entering the Naval service at approximately the same time shall be deemed, for all purposes of this Act, to have commenced their commissioned service on the same date.
Active duty in time of peace.	SEC. 5. Officers commissioned pursuant to this Act may be employed on active duty in time of peace only during the seven-year period next following the completion of their duty as aviation cadets undergoing training, except that such officers may be ordered to active duty thereafter for the purpose of instructing and training members of the Naval Reserve and the Marine Corps Reserve.
Instruction, etc., duty.	SEC. 6. When officers, commissioned pursuant to this Act, are released from active duty that has been continuous for a period of four or more years, including active duty both as aviation cadets and as commissioned officers, they shall be paid a lump sum of \$500 in addition to any pay and allowances which they may otherwise be entitled to receive, except as hereinafter provided.
Payment upon release from active duty.	SEC. 7. Government life insurance issued in accordance with section 5 of the Act of April 15, 1935 (34 U. S. C., 846), shall continue when an aviation cadet is commissioned pursuant to this Act; the premiums thereon shall be deducted from the pay of the officers concerned and paid by the Secretary of the Navy to the Administrator of Veterans' Affairs. When released from active duty or discharged they shall have the option of continuing such insurance at their own expense.
Government life insurance, continuance. 49 Stat. 157. 34 U. S. C., Supp. IV, § 846. Premium charges.	SEC. 8. Aviation cadets who have completed active duty undergoing training on the date of approval of this Act and who may be commissioned pursuant thereto shall, upon completion of four years' active duty, be paid a lump sum determined as \$1,000 minus the excess of the pay and allowances received by them prior to the date of such completion of duty over the pay and allowances, with which shall be included Government paid insurance premiums, which they would have received as aviation cadets had they not been commissioned. No person shall be held to be indebted to the United States as a result of the provisions of this section. Payments authorized by this section shall be in addition to that authorized by section 6 of this Act.
Pay adjustment, cadets completing training.	SEC. 9. Pay and allowances of officers commissioned pursuant to this Act shall be paid from appropriations for "Pay, Subsistence, and Transportation of Naval Personnel" and "Pay, Marine Corps", except for those officers ordered to active duty pursuant to authority contained in the exception in section 5 of this Act the pay and allowances of whom shall be paid from appropriations for "Naval Reserve" and "Pay, Marine Corps".
Payments additional to discharge pay.	SEC. 10. No back pay or allowances shall be held to have accrued under this Act prior to its enactment.
Appropriations from which pay and allowances payable. <i>Post</i> , pp. 1321, 1322.	SEC. 11. When first commissioned pursuant to this Act, officers shall be paid a uniform allowance of \$150 provided they have not already received the uniform allowance of \$150 authorized to be paid to aviation cadets upon their first assignment to duty after completion of training, and as provided in section 3 of the Act of April 15, 1935 (49 Stat. 157; 34 U. S. C. 844).
Restriction on back pay, etc.	SEC. 12. (a) Section 1 of the Act of April 15, 1935 (49 Stat. 156; 34 U. S. C. 842), is hereby amended by deleting therefrom the last sentence.
Uniform allowance.	
49 Stat. 157. 34 U. S. C., Supp. IV, § 844. Designated provisions repealed. 49 Stat. 156. 34 U. S. C., Supp. IV, § 842.	

(b) Section 3 of the Act of April 15, 1935 (49 Stat. 157; 34 U. S. C. 844), is hereby amended by deleting therefrom the last sentence.

49 Stat. 157.  
34 U. S. C., Supp.  
IV, § 844.

(c) Section 6 of the Act of April 15, 1935 (49 Stat. 157; 34 U. S. C. 847), is hereby repealed.

49 Stat. 157.  
34 U. S. C., Supp.  
IV, § 847.  
Aviation cadets and  
commissioned officers,  
active duty.  
52 Stat. 1176.  
34 U. S. C., Supp.  
IV, § 853c.

(d) The first proviso of section 5 of the Naval Reserve Act of 1938 (52 Stat. 1176; 34 U. S. C. 853c) is hereby amended to read as follows: "Provided, That aviation cadets and officers commissioned pursuant to authority contained in the Naval Aviation Reserve Act of 1939 may be required to serve on active duty for a continuous period of four years from date of appointment as aviation cadets."

SEC. 13. Section 10 of the Naval Reserve Act of 1938 (52 Stat. 1178; 34 U. S. C. 853h), shall be applicable to the procurement and training of aviation cadets and of officers of the Naval Reserve and Marine Corps Reserve commissioned pursuant to this Act. The minimum numerical strength to be achieved in aviation officers of the reserves is set at six thousand.

Procurement and  
training.  
52 Stat. 1178.  
34 U. S. C., Supp.  
IV, § 853h.

SEC. 14. The Secretary of the Navy is hereby authorized and directed to appoint a board of officers of the Navy and Marine Corps to investigate and report upon all matters concerning the regular and reserve aviation personnel of the Navy and Marine Corps. The board shall make such recommendations, including recommendations regarding the enactment of permanent legislation, as it deems appropriate and justified concerning the subject matter herein referred to. The Secretary of the Navy is further directed to cause the report of the board herein authorized to be transmitted to the Congress within ten days of the beginning of the session of the Seventy-sixth Congress, commencing on or about January 3, 1940.

Appointment of  
board to investigate  
and report on person-  
nel matters.

Transmittal of re-  
port to Congress.

Approved, June 13, 1939.

#### [CHAPTER 206]

#### JOINT RESOLUTION

To provide for the lending to the Virginia Military Institute of the equestrian portrait of General Winfield Scott now stored in the Capitol.

June 13, 1939  
[H. J. Res. 286]  
[Pub. Res., No. 21]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Architect of the Capitol is authorized and directed to permit the Virginia Military Institute to remove from the Capitol the equestrian portrait of General Winfield Scott, to transport such portrait to Lexington, Virginia, and to have custody of such portrait until such time as the Architect of the Capitol shall request its return to the Capitol. The United States shall be subject to no expense by reason of the enactment of this joint resolution.

Virginia Military  
Institute.  
Loan of portrait of  
Gen. Winfield Scott  
to.

No Federal expense.

Approved, June 13, 1939.

#### [CHAPTER 207]

#### JOINT RESOLUTION

Making an additional appropriation for the control of outbreaks of insect pests.

June 13, 1939  
[H. J. Res. 322]  
[Pub. Res., No. 22]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That for an additional amount, fiscal year 1939, for carrying out the purposes of and for expenditures authorized under, Public Resolution Numbered 91, Seventy-fifth Congress, entitled "Joint resolution to amend the joint resolution entitled 'Joint resolution making funds available for the control of incipient or emergency outbreaks of insect pests or plant

Insect pest and  
plant disease control.  
Additional appro-  
priation, fiscal year  
1939.

52 Stat. 344, 1126.  
7 U. S. C., Supp. IV,  
§§ 148-148e.

diseases, including grasshoppers, Mormon crickets, and chinch bugs', approved April 6, 1937", approved May 9, 1938 (52 Stat. 344), there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$1,750,000, to be immediately available and to remain available until December 31, 1939.

Approved, June 13, 1939.

[CHAPTER 208]

AN ACT

June 16, 1939  
[H. R. 4218]  
[Public, No. 130]

Making appropriations for the Legislative Branch of the Government for the fiscal year ending June 30, 1940, and for other purposes.

Legislative Branch  
Appropriation Act,  
1940.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Legislative Branch of the Government for the fiscal year ending June 30, 1940, namely:

SENATE

SALARIES AND MILEAGE OF SENATORS

Compensation.  
    *Mileage.*  
    Officers, clerks, mes-  
    sengers, etc.

For compensation of Senators, \$960,000.  
For mileage of the President of the Senate and of Senators, \$51,000.  
For compensation of officers, clerks, messengers, and others:

OFFICE OF THE VICE PRESIDENT

Salaries.

Salaries: Secretary to the Vice President, \$4,620; clerk, \$2,400; assistant clerks—one \$2,280, one \$2,160; in all, \$11,460.

CHAPLAIN

Chaplain.

Chaplain of the Senate, \$1,680.

OFFICE OF THE SECRETARY

Salaries.

Salaries: Secretary of the Senate, including compensation as disbursing officer of salaries of Senators and of contingent fund of the Senate, \$8,000; Chief Clerk, who shall perform the duties of reading clerk, \$5,500 and \$1,000 additional so long as the position is held by the present incumbent; financial clerk, \$5,000 and \$2,000 additional so long as the position is held by the present incumbent; assistant financial clerk, \$4,500; Parliamentarian, \$5,000 and \$1,000 additional so long as the position is held by the present incumbent; Journal Clerk, \$3,780; principal clerk, \$3,780; legislative clerk, \$4,000 and \$1,000 additional so long as the position is held by the present incumbent; enrolling clerk, \$4,000; printing clerk, \$3,540; chief bookkeeper, \$3,600; librarian, \$3,360; assistant Journal Clerk, \$3,360; executive clerk, \$3,180; first assistant librarian, \$3,120; keeper of stationery, \$3,320; clerks—one at \$3,180, one at \$2,880 and \$300 additional so long as the position is held by the present incumbent, three at \$2,880 each, three at \$2,640 each, clerk in Disbursing Office, \$2,400, six at \$2,400 each, three at \$1,860 each, three at \$1,740 each; special officer, \$2,460; press relations officer, \$2,140; messenger, \$1,260; laborers—one at \$1,740, one at \$1,620, five at \$1,380 each, one in Secretary's office, \$1,680, one \$1,560, one, \$1,260; in all, \$143,180.

DOCUMENT ROOM

Salaries.

Salaries: Superintendent, \$3,960 and \$1,040 additional so long as the position is held by the present incumbent; first assistant, \$2,640; second assistant, \$2,040; four assistants, at \$2,040 each; skilled laborer, \$1,380; in all, \$19,220.

## COMMITTEE EMPLOYEES

Clerks and messengers to the following committees: Agriculture and Forestry—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,580; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Appropriations—clerk, \$7,000 and \$1,000 additional so long as the position is held by the present incumbent; assistant clerk, \$4,800; assistant clerk, \$3,900; three assistant clerks at \$3,000 each; two assistant clerks at \$2,220 each; messenger, \$1,800. To Audit and Control the Contingent Expenses of the Senate—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Banking and Currency—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,400; assistant clerk, \$2,220. Civil Service—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Claims—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,580; two assistant clerks, at \$2,220 each. Commerce—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,580; assistant clerk, \$2,400; two assistant clerks, at \$2,220 each. Conference Majority of the Senate—clerk, \$3,900; assistant clerk, \$2,880; two assistant clerks at \$2,580 each; assistant clerk, \$2,220. Conference Minority of the Senate—clerk, \$3,900; assistant clerk, \$2,880; two assistant clerks at \$2,580 each; assistant clerk, \$2,220. District of Columbia—clerk, \$3,900; two assistant clerks at \$2,880 each; assistant clerk, \$2,220; additional clerk, \$1,800. Education and Labor—clerk, \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,220; additional clerk, \$1,800. Enrolled Bills—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Expenditures in the Executive Departments—clerk, \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,220; additional clerk, \$1,800. Finance—clerk, \$4,200; special assistant to the committee, \$3,600; assistant clerk, \$2,880; assistant clerk, \$2,700; assistant clerk, \$2,400; two assistant clerks at \$2,220 each; two experts (one for majority and one for the minority) at \$3,600 each; messenger, \$1,800. Foreign Relations—clerk, \$3,900; assistant clerk, \$2,880 and \$500 additional so long as the position is held by the present incumbent; assistant clerk, \$2,580; assistant clerk, \$2,220; additional clerk, \$1,800; messenger, \$1,800. Immigration—clerk, \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,220; additional clerk, \$1,800. Indian Affairs—clerk, \$3,900; assistant clerk, \$3,600, and \$1,400 additional so long as the position is held by the present incumbent; assistant clerk, \$2,880; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Interoceanic Canals—clerk, \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,220; additional clerk, \$1,800. Interstate Commerce—clerk, \$3,900; assistant clerk, \$3,600; assistant clerk, \$2,880; two assistant clerks at \$2,580 each; assistant clerk, \$2,220. Irrigation and Reclamation—clerk, \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,220; two additional clerks at \$1,800 each. Judiciary—clerk, \$3,900; assistant clerk, \$2,880; two assistant clerks at \$2,580 each; assistant clerk, \$2,220. Library—clerk, \$3,900; two assistant clerks at \$2,400 each; assistant clerk, \$2,220; additional clerk, \$1,800. Manufactures—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Military Affairs—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,580; assistant clerk, \$2,400; two assistant clerks at \$2,220 each. Mines and Mining—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; two additional clerks at \$1,800 each. Naval Affairs—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,400; two assistant clerks at \$2,220 each. Patents—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Pensions—clerk, \$3,900; assistant clerk, \$2,580; four assistant clerks at \$2,220 each. Post Offices and Post Roads—clerk, \$3,900; assistant

Clerks and messengers.



Senate Manual.

clerk, \$2,880; four assistant clerks at \$2,220 each; additional clerk, \$1,800. Printing—clerk, \$3,900; assistant clerk, \$2,580; assistant clerk, \$2,220; additional clerk, \$1,800. Privileges and Elections—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Public Buildings and Grounds—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Public Lands and Surveys—clerk, \$3,900; assistant clerk, \$2,880; assistant clerk, \$2,580; two assistant clerks at \$2,220 each. Revision of the Laws—clerk, \$3,900; assistant clerk, \$2,400; assistant clerk, \$2,220; additional clerk, \$1,800. Rules—clerk, \$3,900 and \$200 toward the preparation biennially of the Senate Manual under the direction of the Committee on Rules; assistant clerk, \$2,880; assistant clerk, \$2,580; assistant clerk, \$2,220; additional clerk, \$1,800. Territories and Insular Affairs—clerk, \$3,900; assistant clerk, \$2,580; two assistant clerks at \$2,220 each; assistant clerk, \$2,000; additional clerk, \$1,800; in all, \$505,960.

## CLERICAL ASSISTANTS TO SENATORS

Clerical assistance to Senators not chairmen of specified committees.

Clerical assistance to Senators who are not chairmen of the committees specially provided for herein as follows: Seventy clerks at \$3,900 each; seventy assistant clerks at \$2,400 each; and seventy assistant clerks at \$2,220 each; such clerks and assistant clerks shall be ex officio clerks and assistant clerks of any committee of which their Senator is chairman; seventy additional clerks at \$1,800 each, one for each Senator having no more than one clerk and two assistant clerks for himself or for the committee of which he is chairman; messenger, \$1,800; in all, \$724,200.

## OFFICE OF SERGEANT AT ARMS AND DOORKEEPER

Salaries.

Salaries: Sergeant at Arms and Doorkeeper, \$8,000; two secretaries (one for the majority and one for the minority), at \$5,400 each and \$1,000 additional each so long as the respective positions are held by the present respective incumbents; two assistant secretaries (one for the majority and one for the minority), at \$4,320 each; Deputy Sergeant at Arms and storekeeper, \$4,800; clerks—one \$3,000, one \$2,100, two at \$2,000 each, one \$1,800, one to the secretary for the majority, \$1,800, one to the secretary of the minority, \$1,800, one \$1,500; assistant doorkeeper, \$2,880; messengers—three (acting as assistant doorkeepers) at \$2,400 each; thirty (including four for minority) at \$1,740 each; four at \$1,620 each; one at card door, \$2,640, and \$240 additional so long as the position is held by the present incumbent; clerk on Journal work for Congressional Record to be selected by the Official Reporters, \$3,360; upholsterer and locksmith, \$2,400; cabinet-maker, \$2,040; three carpenters, at \$2,040 each; janitor, \$2,400; five skilled laborers, \$1,680 each; laborer in charge of private passage, \$1,740; four female attendants in charge of ladies' retiring rooms, at \$1,500 each; three female attendants in charge of ladies' retiring rooms, Senate Office Building, at \$1,500 each; attendant authorized by S. Res. 252 adopted May 13, 1938, \$1,500; telephone operators—chief \$2,460 and \$280 additional so long as the position is held by the present incumbent; fourteen at \$1,560 each; laborer in charge of Senate toilet rooms in old library space, \$1,200; press gallery—superintendent, \$3,660; assistant superintendent, \$2,520; assistant superintendent, \$2,400; messengers for service to press correspondents—four at \$1,440 each, and S. Res. 236 adopted February 20, 1936, providing for a messenger for service to press correspondents, is hereby repealed; laborers—three at \$1,380 each, thirty at \$1,260 each, three at

\$480 each; special employees—seven at \$1,000 each; twenty-one pages for the Senate Chamber, at the rate of \$4 per day each, during the session, \$15,288; in all, \$266,128.

Pages.

Police force for Senate Office Building under the Sergeant at Arms: Lieutenant, \$1,740; special officer, \$1,740; thirty-one privates at \$1,620 each; in all, \$53,700.

Police, Senate Office Building.

#### POST OFFICE

Salaries: Postmaster, \$3,600; assistant postmaster, \$2,880; Chief Clerk, \$2,460; wagon master, \$2,280; twenty-six mail carriers, at \$1,620 each; in all, \$53,340.

Salaries.

#### FOLDING ROOM

Salaries: Foreman, \$2,460; assistant, \$2,160; clerk, \$1,740; folders—chief, \$2,040, fourteen at \$1,440 each; in all, \$28,560.

Salaries.

#### CONTINGENT EXPENSES OF THE SENATE

For purchase, exchange, driving, maintenance, and operation of an automobile for the Vice President, \$4,000.

Automobile for Vice President.

For reporting the debates and proceedings of the Senate, payable in equal monthly installments, \$60,340.

Reporting debates, etc.

For services in cleaning, repairing, and varnishing furniture, \$2,000.

Furniture, cleaning, repairing, etc.  
Inquiries and investigations.

For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers of committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding 25 cents per hundred words, \$150,000: *Provided*, That no part of this appropriation shall be expended for per diem and subsistence expenses except in accordance with the provisions of the Subsistence Expense Act of 1926, approved June 3, 1926, as amended.

*Proviso.*  
Per diem and subsistence.  
44 Stat. 688.  
5 U. S. C. §§ 821-833.

For payment of one-half of the salaries and other expenses of the Joint Committee on Internal Revenue Taxation as authorized by law, \$28,250.

Joint Committee on Internal Revenue Taxation; one-half expenses.  
*Post*, p. 830.  
Folding, etc.

For folding speeches and pamphlets at a rate not exceeding \$1 per thousand, \$18,000.

For materials for folding, \$1,500.

For fuel, oil, cotton waste, and advertising, exclusive of labor, \$2,000.

Fuel, oil, advertising, etc.

For repairs, improvements, equipment, and supplies for Senate kitchens and restaurants, Capitol Building and Senate Office Building, including personal and other services, to be expended from the contingent fund of the Senate, under the supervision of the Committee on Rules, United States Senate, \$35,000.

Senate kitchens and restaurants.

For maintaining, exchanging, and equipping motor vehicles for carrying the mails and for official use of the offices of the Secretary and Sergeant at Arms, \$8,760.

Motor vehicles.

For miscellaneous items, exclusive of labor, \$350,000.

Miscellaneous items.  
Packing boxes.  
Postage stamps.

For packing boxes, \$970.

Postage stamps: For office of Secretary, \$350; office of Sergeant at Arms, \$150; in all, \$500.

For materials for furniture and repairs of same, exclusive of labor, and for the purchase of furniture, \$8,000.

Furniture; purchase, etc.

For stationery for Senators and for the President of the Senate, including \$7,500 for stationery for committees and officers of the Senate, \$19,500.

Stationery.

For rent of warehouse for storage of public documents, \$2,000.

Warehouse, rent.

## HOUSE OF REPRESENTATIVES

## SALARIES AND MILEAGE OF MEMBERS

Compensation. For compensation of Members of the House of Representatives, Delegates from Territories, and the Resident Commissioner from Puerto Rico, \$4,385,000.

Mileage. For mileage of Representatives, the Delegate from Hawaii, and the Resident Commissioner from Puerto Rico, and for expenses of the Delegate from Alaska, \$171,000.

Compensation of officers, clerks, etc. For compensation of officers, clerks, messengers, and others:

## OFFICE OF THE SPEAKER

Salaries. Salaries: Secretary to the Speaker, \$4,620; three clerks to the Speaker, at \$2,400 each; messenger to Speaker, \$1,680; in all, \$13,500.

## THE SPEAKER'S TABLE

Parliamentarian, etc. Preparation of Digest of the Rules. Salaries: Parliamentarian \$4,500, and \$1,500 additional so long as the position is held by the present incumbent, and for preparing Digest of the Rules, \$1,000 per annum; Assistant Parliamentarian, \$2,760 and \$750 additional so long as the position is held by the present incumbent; messenger to Speaker's Table, \$1,740; in all, \$12,250.

## CHAPLAIN

Chaplain. Chaplain of the House of Representatives, \$1,680.

## OFFICE OF THE CLERK

Salaries. Salaries: Clerk of the House of Representatives, including compensation as disbursing officer of the contingent fund, \$8,000; Journal clerk, two reading clerks, and tally clerk, at \$5,000 each; enrolling clerk, \$4,000; disbursing clerk, \$3,960 and \$1,040 additional so long as the position is held by the present incumbent; file clerk, \$3,780; chief bill clerk, \$3,540; assistant enrolling clerk, \$3,900; assistant to disbursing clerk, \$3,120 and \$780 additional so long as the position is held by the present incumbent; stationery clerk, \$2,880; librarian, \$2,760; assistant librarian, and assistant file clerk, at \$2,520 each; assistant Journal clerk, and assistant librarian, at \$2,460 each; clerks—one at \$2,460, four at \$2,340 each; bookkeeper, and assistant in disbursing office, at \$2,160 each; three assistants to chief bill clerk at \$2,100 each; stenographer to the Clerk, \$2,500; assistant in stationery room, \$1,740; three messengers at \$1,680 each; stenographer to Journal clerk, \$1,560; laborers—three at \$1,440 each, ten at \$1,260 each; telephone operators—assistant chief, \$1,800; twenty-three at \$1,560 each; substitute telephone operator, when required, at \$4 per day, \$1,464; property custodian and superintendent of furniture and repair shop, who shall be a skilled cabinetmaker or upholsterer and experienced in the construction and purchase of furniture, \$3,960; two assistant custodians at \$3,360 each; locksmith and typewriter repairer, \$1,860; messenger and clock repairer, \$1,740; operation, maintenance, and repair of motor vehicles, \$1,200; in all, \$172,544.

## COMMITTEE EMPLOYEES

Clerks, messengers, and janitors. Clerks, messengers, and janitors to the following committees: Accounts—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,560. Agriculture—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,560. Appropriations—clerk, \$7,000 and \$1,000 additional so long as the position is held by the present incumbent; assistant clerk, \$5,000 and \$2,500

additional so long as the position is held by the present incumbent; assistant clerk, \$3,900, and \$1,100 additional so long as the position is held by the present incumbent; two assistant clerks at \$3,900 each and \$600 each additional so long as the respective positions are held by the present respective incumbents; assistant clerk, \$3,900; assistant clerk, \$3,600 and \$900 additional so long as the position is held by the present incumbent; assistant clerk, \$3,300 and \$600 additional so long as the position is held by the present incumbent; assistant clerk, \$3,300; messenger, \$1,680; four clerk-stenographers, at the annual rate of \$1,800 each, one for each subcommittee of the Committee on Appropriations having jurisdiction over a regular annual appropriation bill as shall be designated by the Chairman of the Committee on Appropriations and to be appointed by the chairmen of the subcommittees so designated, subject to the approval of the Chairman, \$7,200. Banking and Currency—clerk, \$2,760; assistant clerk, \$1,740; janitor, \$1,260. Census—clerk, \$2,760; janitor, \$1,260. Civil Service—clerk, \$2,760; janitor, \$1,260. Claims—clerk, \$3,300; assistant clerk, \$1,740; janitor, \$1,260. Coinage, Weights, and Measures—clerk, \$2,760; janitor, \$1,260. Disposition of Executive Papers—clerk, \$2,760. District of Columbia—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,260. Education—clerk, \$2,760; janitor, \$1,260. Election of the President, Vice President, and Representatives in Congress—clerk, \$2,760. Elections Numbered 1—clerk, \$2,760; janitor, \$1,260. Elections Numbered 2—clerk, \$2,760; janitor, \$1,260. Elections Numbered 3—clerk, \$2,760; janitor, \$1,260. Enrolled Bills—clerk, \$2,760; janitor, \$1,260. Expenditures in Executive Departments—clerk, \$3,300; janitor, \$1,260. Flood Control—clerk, \$2,760; janitor, \$1,260. Foreign Affairs—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,260. Immigration and Naturalization—clerk, \$3,300; janitor, \$1,260. Indian Affairs—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,260. Insular Affairs—clerk, \$2,760; janitor, \$1,260. Interstate and Foreign Commerce—clerk, \$3,900; additional clerk, \$2,640; assistant clerk, \$2,100; janitor, \$1,560. Irrigation and Reclamation—clerk, \$2,760; janitor, \$1,260. Invalid Pensions—clerk, \$3,300; assistant clerk, \$2,880; expert examiner, \$2,700; stenographer, \$2,640; janitor, \$1,500. Judiciary—clerk, \$3,900; assistant clerk, \$2,460; assistant clerk, \$1,980; janitor, \$1,560. Labor—clerk, \$2,760; assistant clerk, \$1,740; janitor, \$1,260. Library—clerk, \$2,760; janitor, \$1,260. Merchant Marine and Fisheries—clerk, \$2,760; assistant clerk, \$1,740; janitor, \$1,260. Military Affairs—clerk, \$3,300; assistant clerk, \$2,100; janitor, \$1,560. Mines and Mining—clerk, \$2,760; janitor, \$1,260. Naval Affairs—clerk, \$3,300; assistant clerk, \$2,100; janitor, \$1,560. Patents—clerk, \$2,760; janitor, \$1,260. Pensions—clerk, \$3,300; assistant clerk, \$2,160; janitor, \$1,260. Post Office and Post Roads—clerk, \$3,300; assistant clerk, \$2,100; janitor, \$1,560. Printing—clerk, \$2,760; janitor, \$1,560. Public Buildings and Grounds—clerk, \$3,300; assistant clerk, \$1,740; janitor, \$1,260. Public Lands—clerk, \$3,300; assistant clerk, \$1,740; janitor, \$1,260. Revision of the Laws—clerk, \$3,300; janitor, \$1,260. Rivers and Harbors—clerk, \$3,300; assistant clerk, \$2,460; janitor, \$1,560. Roads—clerk, \$2,760; assistant clerk, \$1,740; janitor, \$1,260. Rules—clerk, \$3,300; assistant clerk, \$2,100; janitor, \$1,260. Territories—clerk, \$2,760; janitor, \$1,260. War Claims—clerk, \$3,300; assistant clerk, \$1,740; janitor, \$1,260. Ways and Means—clerk, \$4,620; assistant clerk and stenographer, \$2,640; assistant clerk, \$2,580; clerk for minority, \$3,180 and \$420 additional so long as the position is held by the present incumbent; janitors—one, \$1,560; two at \$1,260 each. World War Veterans' Legislation—clerk, \$3,300; assistant clerk, \$2,460; in all, \$319,720.

## OFFICE OF SERGEANT AT ARMS

## Salaries.

Salaries: Sergeant at Arms, \$8,000; Deputy Sergeant at Arms in charge of mace, \$3,180; cashier, \$6,000; assistant cashier, \$4,000; two bookkeepers, at \$3,360 each; Deputy Sergeant at Arms in charge of pairs, \$3,600; pair clerk and messenger, \$2,820; stenographer and typewriter, \$1,800; skilled laborer, \$1,380; hire of automobile, \$600; in all, \$38,100.

## Police force, House Office Building.

Police force, House Office Building, under the Sergeant at Arms: Lieutenant, \$1,740; sergeant, \$1,680; thirty-seven privates at \$1,620 each; in all, \$63,360.

## OFFICE OF DOORKEEPER

## Salaries.

Salaries: Doorkeeper, \$6,000; special employee, \$2,820; superintendent of House press gallery, \$3,660; assistants to the superintendent of the House press gallery—one at \$2,520 and one at \$2,400; chief janitor, \$2,700; messengers—one chief messenger, \$2,240, sixteen messengers at \$1,740 each, fourteen on soldiers' roll at \$1,740 each; laborers—seventeen at \$1,260 each, two (cloakroom) at \$1,380 each, one (cloakroom), \$1,260, and seven (cloakroom) at \$1,140 each; three female attendants in ladies' retiring rooms at \$1,680 each, attendant for the ladies' reception room, \$1,440; superintendent of folding room, \$3,180; foreman of folding room, \$2,640; chief clerk to superintendent of folding room, \$2,460; three clerks at \$2,160 each; janitor, \$1,260; laborer, \$1,260; thirty-one folders at \$1,440 each; shipping clerk, \$1,740; two drivers at \$1,380 each; two chief pages at \$1,980 each; two telephone pages at \$1,680 each; two floor managers of telephones (one for the minority) at \$3,180 each; two assistant floor managers in charge of telephones (one for the minority) at \$2,100 each; forty-eight pages during the session, including ten pages for duty at the entrances to the Hall of the House and one for duty in the Committee on Appropriations to be appointed by the Chairman of such committee, at \$4 per day each, \$34,944; superintendent of document room (Elmer A. Lewis), \$3,960 and \$1,040 additional so long as the position is held by the present incumbent; assistant superintendent of document room, \$2,760 and \$420 additional so long as the position is held by the present incumbent; clerk, \$2,320; assistant clerk, \$2,160; eight assistants at \$1,860 each; janitor, \$1,440; messenger to press room, \$1,560; maintenance and repair of folding room motortruck, \$500; in all, \$264,724.

## Folding room.

## Pages.

## Document room.

## SPECIAL AND MINORITY EMPLOYEES

## Minority employees.

For the minority employees authorized and named in the House Resolutions Numbered 51 and 53 of December 11, 1931, and Numbered 281 of July 21, 1937: Two at \$5,000 each, three at \$2,820 each; one at \$3,600 (minority pair clerk, House Resolution Numbered 313 of August 7, 1935); in all, \$22,060.

## Special employees.

Special employees: Assistant foreman of the folding room, authorized in the resolution of September 30, 1913, \$1,980; laborer, authorized and named in the resolution of April 28, 1914, \$1,380; laborer, \$1,380; in all, \$4,740.

## Appointment of successors.

Successors to any of the employees provided for in the two preceding paragraphs may be named by the House of Representatives at any time.

## Office of majority floor leader.

Office of majority floor leader: Legislative clerk, \$3,110; clerk, \$2,530; two assistant clerks, at \$1,800 each; for official expenses of the majority leader, as authorized by House Resolution Numbered 101, Seventy-first Congress, adopted December 18, 1929, \$2,000; in all, \$11,240.

Conference minority: Clerk, \$3,180; legislative clerk, \$3,060; assistant clerk, \$2,100; janitor, \$1,560; in all, \$9,900. The foregoing employees to be appointed by the minority leader.

Conference minority.

Two messengers, one in the majority caucus room and one in the minority caucus room, to be appointed by the majority and minority whips, respectively, at \$1,740 each; in all, \$3,480.

Caucus room, messengers.

#### POST OFFICE

Salaries: Postmaster, \$5,000; assistant postmaster, \$2,880; two registry and money-order clerks, at \$2,100 each; forty messengers (including one to superintend transportation of mails), at \$1,740 each; substitute messengers and extra services of regular employees, when required, at the rate of not to exceed \$145 per month each, \$1,740; laborer, \$1,260; in all, \$84,680.

Salaries.

For the purchase, exchange, maintenance, and repair of motor vehicles for carrying the mails, \$2,500.

Motor vehicles.

#### OFFICIAL REPORTERS OF DEBATES

Salaries: Six official reporters of the proceedings and debates of the House at \$7,500 each; clerk, \$4,000; assistant clerk, \$2,000; six expert transcribers at \$2,000 each; in all, \$63,000.

Salaries.

#### COMMITTEE STENOGRAPHERS

Salaries: Four stenographers to committees, at \$7,000 each and two stenographers to committees, at \$6,000 each; clerk, \$3,360; in all, \$43,360.

Salaries.

Whenever the words "during the session" occur in the foregoing paragraphs they shall be construed to mean the one hundred and eighty-two days from January 1 to June 30, 1940, both inclusive.

"During the session" construed.

#### CLERK HIRE, MEMBERS, AND DELEGATES

For clerk hire necessarily employed by each Member and Delegate, and the Resident Commissioner from Puerto Rico, in the discharge of his official and representative duties, in accordance with the Act entitled "An Act to fix the compensation of officers and employees of the legislative branch of the Government", approved June 20, 1929, \$2,190,000.

Clerk hire, etc.

46 Stat. 38.  
2 U. S. C. § 60b.

#### CONTINGENT EXPENSES OF THE HOUSE

For furniture and materials for repairs of the same, including not to exceed \$29,000 for labor, tools, and machinery for furniture repair shops, \$43,000.

Furniture, etc.

For packing boxes, \$1,500: *Provided*, That no part of this appropriation shall be used to furnish a packing box to any Representative, Delegate, or Resident Commissioner for any session of Congress unless request therefor has been made not later than thirty days after the sine die adjournment of any such session: *Provided further*, That all boxes remaining in the hands of the Clerk of the House on July 1, 1939, which were assigned for sessions prior to the first session of the Seventy-sixth Congress shall revert to the general stock of the Clerk of the House.

Packing boxes.  
*Provisos.*  
Restriction.

Disposition of boxes assigned for prior sessions.

For miscellaneous items, exclusive of salaries unless specifically ordered by the House of Representatives, including reimbursement to the official stenographers to committees for the amounts actually paid out by them for transcribing hearings, and including materials for folding, \$95,000.

Miscellaneous items.

Reports of committee hearings.

For stenographic reports of hearings of committees other than special and select committees, \$18,000.

Special and select committees.

For expenses of special and select committees authorized by the House, \$60,000.

Joint Committee on Internal Revenue Taxation; one-half expenses.  
*Ante*, p. 825.  
Expenditures restricted.

For payment of one-half of the salaries and other expenses of the Joint Committee on Internal Revenue Taxation as authorized by law, \$28,250.

No part of the appropriations contained herein for the contingent expenses of the House of Representatives shall be used to defray the expenses of any committee consisting of more than six persons (not more than four from the House and not more than two from the Senate) nor to defray the expenses of any other person except the Sergeant at Arms of the House or a representative of his office, and except the widow or minor children or both of the deceased, to attend the funeral rites and burial of any person who at the time of his or her death is a Representative, a Delegate from a Territory, or a Resident Commissioner from Puerto Rico.

Funeral expenses, limitation.

For telegraph and telephone service, exclusive of personal services, \$90,000.

Telegraph and telephone service.

Stationery.

For stationery for Representatives, Delegates, and the Resident Commissioner from Puerto Rico, for the first and second sessions of the Seventy-sixth Congress, and for stationery for the use of the committees and officers of the House (not to exceed \$5,000), \$125,450, of which \$32,850 shall be available immediately for the first session of the Seventy-sixth Congress: *Provided*, That commencing with the first session of the Seventy-sixth Congress the allowance for stationery for each Representative, Delegate, and the Resident Commissioner from Puerto Rico for each session of Congress shall be \$200.

*Proviso.*  
Allowance for each Representative, etc.

For medical supplies, equipment, and contingent expenses for the emergency room and for the attending physician and his assistants, including an allowance of not to exceed \$30 per month each to three assistants as provided by the House resolutions adopted July 1, 1930, and January 20, 1932, \$3,500.

Emergency room, expenses.

Postage stamps: Postmaster, \$200; Clerk, \$400; Sergeant at Arms, \$250; Doorkeeper, \$100; in all \$950.

Postage stamps.

For folding speeches and pamphlets, at a rate not exceeding \$1 per thousand, \$25,000.

Folding.

For preparation and editing of the laws as authorized, by the Act approved May 29, 1928 (1 U. S. C., 59), \$6,500, to be expended under the direction of the Committee on Revision of the Laws.

United States Code, preparation, etc.  
45 Stat. 1008.  
1 U. S. C. § 59.

For assistants in compiling lists of reports to be made to Congress by public officials; compiling copy and revising proofs for the House portion of the Official Register; preparing and indexing the statistical reports of the Clerk of the House; compiling the telephone and Members' directories; preparing and indexing the daily calendars of business; preparing the official statement of Members' voting records; preparing lists of congressional nominees and statistical summary of elections; preparing and indexing questions of order printed in the Appendix to the Journal pursuant to House Rule III; for recording and filing statements of political committees and candidates for election to the House of Representatives pursuant to the Federal Corrupt Practices Act, 1925 (2 U. S. C. 241-256); and for such other assistance as the Clerk of the House may deem necessary and proper in the conduct of the business of his office, \$4,500: *Provided*, That no part of this appropriation shall be used to augment the annual salary of any employee of the House of Representatives.

Assistants to Clerk of House.  
Specified objects.

Political committees, etc., recording and filing statements.  
43 Stat. 1070.  
2 U. S. C. §§ 241-256.

*Proviso.*  
Restriction.

Automobile for Speaker.

For exchange, driving, maintenance, repair, and operation of an automobile for the Speaker, \$4,000.

## CAPITOL POLICE

Salaries: Captain, \$2,700; three lieutenants, at \$1,740 each; two special officers, at \$1,740 each; three sergeants, at \$1,680 each; fifty-two privates, at \$1,620 each; one-half of said privates to be selected by the Sergeant at Arms of the Senate and one-half by the Sergeant at Arms of the House; in all, \$100,680: *Provided*, That no part of any appropriation contained in this Act shall be paid as compensation to any person appointed after June 30, 1935, as an officer or member of the Capitol Police (including those for the Senate and House Office Buildings) who does not meet the standards to be prescribed for such appointees by the Capitol Police Board: *Provided further*, That the Capitol Police Board is hereby authorized to detail police from the House and Senate Office Buildings for police duty on the Capitol Grounds.

Salaries.

Prorisos.  
Standards required.Details for police  
duty on Capitol  
Grounds.

For purchasing and supplying uniforms, purchase, exchange, maintenance, and repair of motor-propelled passenger-carrying vehicles, contingent expenses, including \$25 per month for extra services performed by a member of such force for the Capitol Police Board, \$9,400.

Uniforms, etc.

One-half of the foregoing amounts under "Capitol Police" shall be disbursed by the Secretary of the Senate and one-half by the Clerk of the House.

Division of disburse-  
ments.

## JOINT COMMITTEE ON PRINTING

Salaries: Clerk, \$4,000 and \$800 additional so long as the position is held by the present incumbent; inspector under section 20 of the Act approved January 12, 1895 (44 U. S. C. 49), \$2,820; assistant clerk and stenographer, \$2,640; for expenses of compiling, preparing, and indexing the Congressional Directory, \$1,600; in all, \$11,860, one-half to be disbursed by the Secretary of the Senate and the other half to be disbursed by the Clerk of the House.

Salaries and ex-  
penses.  
28 Stat. 603.  
44 U. S. C. § 49.Congressional Di-  
rectory.

## OFFICE OF LEGISLATIVE COUNSEL

For salaries and expenses of maintenance of the Office of Legislative Counsel, as authorized by law, \$75,000, of which \$37,500 shall be disbursed by the Secretary of the Senate and \$37,500 by the Clerk of the House of Representatives.

Salaries and ex-  
penses.

## STATEMENT OF APPROPRIATIONS

For preparation, under the direction of the Committees on Appropriations of the Senate and House of Representatives of the statements for the first session of the Seventy-sixth Congress, showing appropriations made, indefinite appropriations, and contracts authorized, together with a chronological history of the regular appropriation bills, as required by law, \$4,000, to be paid to the persons designated by the chairmen of such committees to do the work.

Preparation, first  
session of Seventy-  
sixth Congress.

## ARCHITECT OF THE CAPITOL

## OFFICE OF THE ARCHITECT OF THE CAPITOL

Salaries: For the Architect of the Capitol, Assistant Architect of the Capitol, and other personal services at rates of pay provided by law; and the Assistant Architect of the Capitol shall act as Architect of the Capitol during the absence or disability of that official or whenever there is no Architect; \$59,100.

Salaries.



## CAPITOL BUILDINGS AND GROUNDS

Capitol Buildings. <i>Post</i> , p. 1302.	<b>Capitol Buildings:</b> For necessary expenditures for the Capitol Building and electrical substations of the Senate and House Office Buildings, under the jurisdiction of the Architect of the Capitol, including minor improvements, maintenance, repair, equipment, supplies, material, fuel, oil, waste, and appurtenances; furnishings and office equipment; special clothing for workmen; personal and other services; cleaning and repairing works of art; purchase or exchange (not to exceed \$1,000), maintenance, and driving of motor-propelled passenger-carrying office vehicle; not exceeding \$300 for the purchase of technical and necessary reference books, periodicals, and city directory; \$327,200.
Maintenance, repair, etc.	
Structural-engineering study of roofs and skylights, Senate and House wings.	For a structural-engineering study of the roofs and skylights over the Senate and House wings of the United States Capitol Building with a view to determining the strength and safety of such roofs and skylights and the need of their replacement, to be made under the direction and supervision of a committee of two, one a Senator to be appointed by the President of the Senate and the other a Member of the House of Representatives to be appointed by the Speaker of the House, \$10,000, or so much thereof as may be necessary, to be immediately available. Said committee shall have authority to employ a structural engineer or firm of engineers, and to make such other expenditures as may be necessary to carry out the purposes of this paragraph. The committee shall make a report to the Congress at the earliest possible date.
Report to Congress.	
Travel expenses.	Appropriations under the control of the Architect of the Capitol shall be available for expenses of travel on official business not to exceed in the aggregate under all funds the sum of \$1,500.
Capitol Grounds.	<b>Capitol Grounds:</b> For care and improvement of grounds surrounding the Capitol, Senate and House Office Buildings; Capitol power plant; personal and other services; care of trees; planting; fertilizers; repairs to pavements, walks, and roadways; purchase of waterproof wearing apparel; maintenance of signal lights; and for snow removal by hire of men and equipment or under contract without compliance with sections 3709 (41 U. S. C., 5) and 3744 (41 U. S. C., 16) of the Revised Statutes, \$104,000.
R. S. §§ 3709, 3744. 41 U. S. C. §§ 5, 16.	
Legislative garage.	<b>Legislative garage:</b> For maintenance, repairs, alterations, personal and other services, and all necessary incidental expenses, \$11,880.
Subway transportation, Capitol and Senate Office Buildings.	<b>Subway transportation, Capitol and Senate Office Buildings:</b> For repairs, rebuilding, and maintenance of the subway system connecting the Senate Office Building with the Senate wing of the United States Capitol and for personal and other services, including maintenance of the cars, tracks, and electrical equipment connected therewith, \$2,000.
Senate Office Building, maintenance, etc.	<b>Senate Office Building:</b> For maintenance, miscellaneous items and supplies, including furniture, furnishings, and equipment, and for labor and material incident thereto, and repairs thereof; and for personal and other services for the care and operation of the Senate Office Building, under the direction and supervision of the Senate Committee on Rules, including four female attendants in charge of ladies' retiring rooms at \$1,500 each; in all, \$314,428, of which \$14,000 shall be immediately available: <i>Provided</i> , That structural changes in the Senate Office Building shall only be made with the approval of the Architect of the Capitol.
<i>Proviso.</i> Structural changes, restriction.	
Barber and beauty shops.	For the repair, alteration, and equipment of rooms 90-B, 92-B, 94-B, and 96-B for use as barber shop and beauty shop, \$1,905.
House Office Buildings, maintenance, etc.	<b>House Office Buildings:</b> For maintenance, including equipment, miscellaneous items, and for all necessary services, \$376,860.

**Capitol Power Plant:** For lighting, heating, and power for the Capitol, Senate and House Office Buildings, Supreme Court Building, Congressional Library Buildings, and the grounds about the same, Botanic Garden, legislative garage, and folding and storage rooms of the Senate, and for air-conditioning refrigeration not supplied from plants in any of such buildings; for heating the Government Printing Office and Washington City Post Office and for light and power therefor whenever available; personal and other services, engineering instruments, fuel, oil, materials, labor, advertising, and purchase of waterproof wearing apparel in connection with the maintenance and operation of the plant, \$542,050.

Capitol Power Plant, maintenance, etc.

The appropriations under the control of the Architect of the Capitol may be expended without reference to section 4 of the Act approved June 17, 1910 (41 U. S. C. 7), concerning purchases for executive departments.

Purchases independent of Procurement Division, Treasury Department.  
36 Stat. 531.  
41 U. S. C. § 7.

The Government Printing Office and the Washington City Post Office shall reimburse the Capitol power plant for heat, light, and power whenever any such service is furnished during the fiscal year 1940, and the amounts so reimbursed shall be covered into the Treasury.

Reimbursement for heat, etc., to designated buildings.

#### LIBRARY BUILDINGS AND GROUNDS

**Salaries:** For chief engineer and all personal services at rates of pay provided by law, \$81,220.

Salaries.

**Salaries, Sunday opening:** For extra services of employees and additional employees under the Architect of the Capitol to provide for the opening of the Library Buildings on Sundays and on holidays, at rates to be fixed by such Architect, \$6,768.

Sunday opening.

For necessary expenditures for the Library Buildings and Grounds under the jurisdiction of the Architect of the Capitol, including minor improvements, maintenance, repair, equipment, supplies, material, and appurtenances, and personal and other services in connection with the mechanical and structural maintenance of such buildings and grounds, \$48,600, of which amount \$20,000 shall be immediately available.

Maintenance, repair, etc.

For furniture, including partitions, screens, shelving, and electrical work pertaining thereto and repairs thereof, \$36,500, of which amount \$15,000 shall be available immediately.

Furniture, etc.

#### BOTANIC GARDEN

**Salaries:** For personal services (including not exceeding \$3,000 for miscellaneous temporary labor without regard to the Classification Act of 1923, as amended), \$81,330; all under the direction of the Joint Committee on the Library.

Salaries.

**Maintenance, operation, repairs, and improvements:** For all necessary expenses incident to maintaining, operating, repairing, and improving the Botanic Garden, and the nurseries, buildings, grounds, and equipment pertaining thereto, including procuring fertilizers, soils, tools, trees, shrubs, plants, and seeds; materials and miscellaneous supplies, including rubber boots and aprons when required for use by employees in connection with their work; not to exceed \$25 for emergency medical supplies; disposition of waste; traveling expenses of the Director and his assistants not to exceed \$250; street-car fares not exceeding \$25; office equipment and contingent expenses; the prevention and eradication of insect and other pests and plant diseases by purchase of materials and procurement of personal services by contract without regard to the provisions of any other Act; repair, maintenance, operation, purchase, and exchange of motor-

5 U. S. C. §§ 661-674; Supp. IV, §§ 673, 673c.

Maintenance, repairs, etc.

trucks and a passenger motor vehicle (the cost of such passenger vehicle not to exceed \$750, including the amount allowed on any vehicle given in part payment therefor); purchase of botanical books, periodicals, and books of reference, not to exceed \$100; repairs and improvements to Director's residence; and all other necessary expenses; all under the direction of the Joint Committee on the Library, \$25,125.

Purchases without  
advertising.

R. S. § 3709.  
41 U. S. C. § 5.

Distribution of  
nursery stock.

Open-market pur-  
chases of supplies.

R. S. §§ 3709, 3744.  
41 U. S. C. §§ 5, 16.

The sum of \$300 may be expended at any one time by the Botanic Garden for the purchase of plants, trees, shrubs, and other nursery stock, without reference to section 3709 of the Revised Statutes (41 U. S. C. 5).

No part of the appropriations contained herein for the Botanic Garden shall be used for the distribution, by congressional allotment, of trees, plants, shrubs, or other nursery stock.

The purchase of supplies and equipment and the procurement of services at the Botanic Garden may be made in the open market without compliance with sections 3709 and 3744 of the Revised Statutes of the United States in the manner common among businessmen, when the aggregate amount of the purchase or the services does not exceed \$50 in any instance.

## LIBRARY OF CONGRESS

### SALARIES

Salaries.

For the Librarian, the Librarian Emeritus, Chief Assistant Librarian, Chief Reference Librarian, and other personal services, including special and temporary services and extra special services of regular employees (not exceeding \$2,000) at rates to be fixed by the Librarian, \$1,073,020.

Register of Copy-  
rights, etc.

For the Register of Copyrights, assistant register, and other personal services, \$284,160, of which sum \$12,400 shall be immediately available.

### LEGISLATIVE REFERENCE SERVICE

Personnel.

To enable the Librarian of Congress to employ competent persons to gather, classify, and make available, in translations, indexes, digests, compilations, and bulletins, and otherwise, data for or bearing upon legislation, and to render such data serviceable to Congress, and committees and Members thereof, and for printing and binding the digests of public general bills, and including not to exceed \$5,700 for employees engaged on piece work and work by the day or hour at rates to be fixed by the Librarian, \$99,500.

Digests of public  
general bills.

### DISTRIBUTION OF CARD INDEXES

Distribution, etc.

For the distribution of card indexes and other publications of the Library, including personal services, freight charges (not exceeding \$500), expressage, postage, traveling expenses connected with such distribution, expenses of attendance at meetings when incurred on the written authority and direction of the Librarian, and including not to exceed \$68,000 for employees engaged in piece work and work by the day or hour and for extra special services of regular employees at rates to be fixed by the Librarian; in all, \$224,560, of which sum \$9,500 shall be immediately available for employees engaged in piece work and work by the day or hour.

Piecework, etc.,  
amount immediately  
available.

### INDEX TO STATE LEGISLATION

Preparation of index  
and digest.

To enable the Librarian of Congress to prepare an index to the legislation of the several States, together with a supplemental digest

of the more important legislation, as authorized and directed by the Act entitled "An Act providing for the preparation of a biennial index to State legislation", approved February 10, 1927 (2 U. S. C. 164, 165), including personal and other services within and without the District of Columbia, including not to exceed \$2,500 for special and temporary services at rates to be fixed by the Librarian, travel, necessary material and apparatus, and for printing and binding the indexes and digests of State legislation for official distribution only, and other printing and binding incident to the work of compilation, stationery, and incidentals, \$39,200.

44 Stat. 1006.  
2 U. S. C. §§ 164, 165.

Temporary services.

#### SUNDAY OPENING

To enable the Library of Congress to be kept open for reference use on Sundays and on holidays within the discretion of the Librarian, including the extra services of employees and the services of additional employees under the Librarian, at rates to be fixed by the Librarian, \$23,437 of which sum \$350 shall be immediately available.

Expenses.

#### UNION CATALOGUES

To continue the development and maintenance of the Union Catalogues, including personal services within and without the District of Columbia (and not to exceed \$700 for special and temporary services, including extra special services of regular employees, at rates to be fixed by the Librarian), travel, necessary material and apparatus, stationery, photostat supplies, and incidentals, \$26,180.

Development, maintenance, etc.

#### INCREASE OF THE LIBRARY

For purchase of books, miscellaneous periodicals and newspapers, and all other material for the increase of the Library, including payment in advance for subscription books and society publications, and for freight, commissions, and traveling expenses not to exceed \$5,000, including expenses of attendance at meetings when incurred on the written authority and direction of the Librarian in the interest of collections, and all other expenses incidental to the acquisition of books, miscellaneous periodicals and newspapers, and all other material for the increase of the Library, by purchase, gift, bequest, or exchange, \$118,000, to continue available during the fiscal year 1941.

Purchase of books, etc.

For the purchase of books and for legal periodicals for the law library, including payment for legal society publications and for freight, commissions, and all other expenses incidental to the acquisition of law books and all other material for the increase of the law library, \$85,000, to continue available, during the fiscal year 1941.

Law books, etc.

Availability.

#### BOOKS FOR ADULT BLIND

To enable the Librarian of Congress to carry out the provisions of the Act entitled "An Act to provide books for the adult blind", approved March 3, 1931 (2 U. S. C. 135a), as amended, \$275,000, including not exceeding \$13,000 for personal services and not exceeding \$500 for necessary traveling expenses connected with such service and for expenses of attendance at meetings when incurred on the written authority and direction of the Librarian: *Provided*, That the unexpended balance of the appropriation for this purpose for the fiscal year 1939 is hereby reappropriated and made available for the fiscal year 1940, and of such reappropriated sum not to exceed \$1,000 shall be available for personal services.

Books for adult blind.

46 Stat. 1487.  
2 U. S. C. §§ 135a, 135b; Supp. IV, § 135a.

*Proriso.*  
Reappropriation of unexpended balance.

## PRINTING AND BINDING

Printing and binding.

For miscellaneous printing and binding for the Library of Congress, including the Copyright Office, and the binding, rebinding, and repairing of library books, and for the Library Buildings, \$300,000.

Catalogue of Title Entries, etc.

For the publication of the Catalogue of Title Entries of the Copyright Office and the decisions of the United States courts involving copyright, \$53,300.

Catalog cards.

For the printing of catalog cards, \$185,000 of which sum \$20,000 shall be immediately available.

## CONTINGENT EXPENSES OF THE LIBRARY

Contingent expenses.

For miscellaneous and contingent expenses, stationery, office supplies, stock, and materials directly purchased, miscellaneous traveling expenses, postage, transportation, incidental expenses connected with the administration of the Library and Copyright Office, including not exceeding \$500 for expenses of attendance at meetings when incurred on the written authority and direction of the Librarian, \$11,000 of which sum \$2,000 shall be immediately available.

Attendance at meetings.

Photoduplicating expenses.

For paper, chemicals, and miscellaneous supplies necessary for the operation of the photoduplicating machines of the Library and the making of photoduplicate prints, \$6,000.

## LIBRARY BUILDINGS

Salaries.

Salaries: For the superintendent, disbursing officer, and other personal services, in accordance with the Classification Act of 1923, as amended, including special and temporary services and special services of regular employees in connection with the custody, care, and maintenance of the Library Buildings, in the discretion of the Librarian (not exceeding \$750), at rates to be fixed by the Librarian, \$280,470.

Sunday, etc., opening.

For extra services of employees and additional employees under the Librarian to provide for the opening of the Library Buildings on Sundays and on holidays, at rates to be fixed by the Librarian, \$10,880.

Incidentals.

For mail, delivery, including purchase or exchange, maintenance, operation, and repair of a motor-propelled passenger-carrying vehicle, and telephone services, rubber boots, rubber coats, and other special clothing for workmen, uniforms for guards and elevator conductors, medical supplies, equipment, and contingent expenses for the emergency room, stationery, miscellaneous supplies, and all other incidental expenses in connection with the custody and maintenance of the Library Buildings, \$12,500.

Trust Fund Board, expenses.

For any expense of the Library of Congress Trust Fund Board not properly chargeable to the income of any trust fund held by the Board, \$500.

## GOVERNMENT PRINTING OFFICE

Working capital for execution of printing, binding, etc.

To provide the Public Printer with a working capital for the following purposes for the execution of printing, binding, lithographing, mapping, engraving, and other authorized work of the Government Printing Office for the various branches of the Government: For salaries of Public Printer and Deputy Public Printer; for salaries, compensation, or wages of all necessary officers and employees additional to those herein appropriated for, including

Salaries, etc.

employees necessary to handle waste paper and condemned material for sale; to enable the Public Printer to comply with the provisions of law granting holidays and half holidays and Executive orders granting holidays and half holidays with pay to employees; to enable the Public Printer to comply with the provisions of law granting leave to employees with pay, said pay to be at the rate for their regular positions at the time the leave is granted; rental of buildings and equipment, fuel, gas, heat, electric current, gas and electric fixtures; bicycles, motor-propelled vehicles for the carriage of printing and printing supplies, and the maintenance, repair, and operation of the same, to be used only for official purposes, including operation, repair, and maintenance of motor-propelled passenger-carrying vehicles, and the purchase or exchange of two such passenger vehicles (at a cost, including the allowance on any vehicle given in part payment therefor, of not to exceed \$1,000 and \$750, respectively), for official use of the officers of the Government Printing Office when in writing ordered by the Public Printer; freight, expressage, telegraph and telephone service, furniture, typewriters, and carpets; traveling expenses; stationery, postage, and advertising; directories, technical books, newspapers and magazines, and books of reference (not exceeding \$500); adding and numbering machines, time stamps, and other machines of similar character; rubber boots, coats, and gloves; machinery (not exceeding \$300,000); equipment, and for repairs to machinery, implements, and buildings, and for minor alterations to buildings; necessary equipment, maintenance, and supplies for the emergency room for the use of all employees in the Government Printing Office who may be taken suddenly ill or receive injury while on duty; other necessary contingent and miscellaneous items authorized by the Public Printer; for expenses authorized in writing by the Joint Committee on Printing for the inspection of printing and binding equipment, material, and supplies and Government printing plants in the District of Columbia or elsewhere (not exceeding \$1,000); for salaries and expenses of preparing the semimonthly and session indexes of the Congressional Record under the direction of the Joint Committee on Printing (chief indexer at \$3,480, one cataloger at \$3,180, two catalogers at \$2,460 each, and one cataloger at \$2,100); for the printing and distribution of the Federal Register in accordance with the provisions of the Act approved July 26, 1935; and for all the necessary labor, paper, materials, and equipment needed in the prosecution and delivery and mailing of the work; in all, \$3,685,000; to which sum shall be charged the printing and binding authorized to be done for Congress including supplemental and deficiency estimates of appropriations, the printing, binding, and distribution of the Federal Register (not exceeding \$120,000), the printing and binding for use of the Government Printing Office, and printing and binding (not exceeding \$2,000) for official use of the Architect of the Capitol upon requisition of the Secretary of the Senate, in all to an amount not exceeding \$2,685,000: *Provided*, That not less than \$1,000,000 of such working capital shall be returned to the Treasury as an unexpended balance not later than six months after the close of the fiscal year 1940.

Printing and binding for Congress chargeable to the foregoing appropriation, when recommended to be done by the Committee on Printing of either House, shall be so recommended in a report containing an approximate estimate of the cost thereof, together with a statement from the Public Printer of estimated approximate cost of work previously ordered by Congress within the fiscal year for which this appropriation is made.

Leave to employees with pay.

Vehicles.

Equipment, etc.

Contingent expenses.

Indexes, Congressional Record.

Federal Register.

49 Stat. 500.  
44 U. S. C., Supp. IV, §§ 301-314.

Printing and binding.

*Provided*.  
Working capital, return of portion as unexpended balance.

Congressional work.

Payment for work ordered by departments, etc.

*Proviso.*  
Adjustments.

Credit of payment for working capital.

Estimates for printing and binding, incorporation in a single item in Budget.

Amounts included as part of estimates for other purposes.

*Proviso.*  
Bureau of Engraving and Printing excepted.  
Restriction on paying detailed employees; exception.

Salaries.  
*Post*, p. 1302.  
5 U. S. C. §§ 661-674; Supp. IV, §§ 673, 673c.  
Employees paid by the hour, rates of pay.

43 Stat. 658.  
44 U. S. C. § 40.  
*Proviso.*  
Item a separate appropriation unit.

General expenses.

*Provisos.*  
Restriction on supplying depository libraries.

During the fiscal year 1940 any executive department or independent establishment of the Government ordering printing and binding from the Government Printing Office shall pay promptly by check to the Public Printer upon his written request, either in advance or upon completion of the work, all or part of the estimated or actual cost thereof, as the case may be, and bills rendered by the Public Printer in accordance herewith shall not be subject to audit or certification in advance of payment: *Provided*, That proper adjustments on the basis of the actual cost of delivered work paid for in advance shall be made monthly or quarterly and as may be agreed upon by the Public Printer and the department or establishment concerned. All sums paid to the Public Printer for work that he is authorized by law to do shall be deposited to the credit, on the books of the Treasury Department, of the appropriation made for the working capital of the Government Printing Office for the year in which the work is done, and be subject to requisition by the Public Printer.

All amounts in the Budget for the fiscal year 1941 for printing and binding for any department or establishment, so far as the Bureau of the Budget may deem practicable, shall be incorporated in a single item for printing and binding for such department or establishment and be eliminated as a part of any estimate for any other purpose. And if any amounts for printing and binding, including the total cost of work produced on the multilith, multigraph, and other similar equipment are included as a part of any estimates for any other purposes, such amounts shall be set forth in detail in a note immediately following the general estimate for printing and binding: *Provided*, That the foregoing requirements shall not apply to work to be executed at the Bureau of Engraving and Printing.

No part of any money appropriated in this Act shall be paid to any person employed in the Government Printing Office while detailed for or performing service in the executive branch of the public service of the United States unless such detail be authorized by law.

#### OFFICE OF SUPERINTENDENT OF DOCUMENTS

For the Superintendent of Documents, assistant superintendent, and other personal services in accordance with the Classification Act of 1923, as amended, and compensation of employees paid by the hour who shall be subject to the provisions of the Act entitled "An Act to regulate and fix rates of pay for employees and officers of the Government Printing Office", approved June 7, 1924 (44 U. S. C. 40), \$665,000: *Provided*, That for the purpose of conforming to section 3 of this Act this appropriation shall be considered a separate appropriation unit.

For furniture and fixtures, typewriters, carpets, labor-saving machines and accessories, time stamps, adding and numbering machines, awnings, curtains, books of reference; directories, books, miscellaneous office and desk supplies, paper, twine, glue, envelopes, postage, carfares, soap, towels, disinfectants, and ice; drayage, express, freight, telephone, and telegraph service; traveling expenses (not to exceed \$200); repairs to buildings, elevators, and machinery; rental of equipment; preserving sanitary condition of building; light, heat, and power; stationery and office printing, including blanks, price lists, bibliographies, catalogs, and indexes; for supplying books to depository libraries; in all, \$272,430: *Provided*, That no part of this sum shall be used to supply to depository libraries any documents, books, or other printed matter not requested by such libraries, and the requests therefor shall be subject to approval by the Super-

intendent of Documents: *Provided further*, That the appropriations for construction of Annex Buildings, Government Printing Office, Washington, District of Columbia, shall be available for rental and repair of temporary quarters, and the heating and ventilation (including operating personnel) thereof, commencing July 1, 1937, and continuing until the completion of such project.

In order to keep the expenditures for printing and binding for the fiscal year 1940 within or under the appropriations for such fiscal year, the heads of the various executive departments and independent establishments are authorized to discontinue the printing of annual or special reports under their respective jurisdictions: *Provided*, That where the printing of such reports is discontinued the original copy thereof shall be kept on file in the offices of the heads of the respective departments or independent establishments for public inspection.

Purchases may be made from the foregoing appropriation under the "Government Printing Office", as provided for in the Printing Act approved January 12, 1895, and without reference to section 4 of the Act approved June 17, 1910 (41 U. S. C. 7), concerning purchases for executive departments.

SEC. 2. No part of the funds herein appropriated shall be used for the maintenance or care of private vehicles.

SEC. 3. In expending appropriations or portions of appropriations contained in this Act, for the payment for personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, the average of the salaries of the total number of persons under any grade in the Botanic Garden, the Library of Congress, or the Government Printing Office, shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade, advances may be made to rates higher than the average of the compensation rates of the grade, but not more often than once in any fiscal year, and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service; (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act; (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit; (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law; or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

SEC. 4. Whenever any office or position not specifically established by the Legislative Pay Act of 1929 is specifically appropriated for herein or whenever the rate of compensation or designation of any position specifically appropriated for herein is different from that specifically established for such position by such Act, the rate of compensation and the designation of the position, or either, specifically appropriated for herein, shall be the permanent law with respect thereto; and the authority for any position specifically established by such Act which is not specifically appropriated for herein shall cease to exist.

SEC. 5. This Act may be cited as the "Legislative Branch Appropriation Act, 1940".

Approved, June 16, 1939.

Temporary quarters.

Annual or special reports of departments, printing discontinued.

*Proviso.*  
Originals to be kept on file.

Purchases independent of Procurement Division, Treasury Department.  
28 Stat. 601; 36 Stat. 531.  
41 U. S. C. § 7.

Private vehicle restriction.

Average salaries in designated offices not to be exceeded.

5 U. S. C. §§ 661-674; Supp. IV, §§ 673, 673c.

*Proviso.*  
Not applicable to clerical-mechanical service.

5 U. S. C. § 666.

Transfer without reduction.

Higher salary rates permitted.

If only one position in a grade.

Legislative Pay Act of 1929.  
46 Stat. 32.  
2 U. S. C. § 60a; Supp. IV, § 60a.  
Determination of pay rate and designation of office.

Short title.



## [CHAPTER 209]

## AN ACT

June 19, 1939  
[S. 1031]  
[Public, No. 131]

To amend section 243 of the Penal Code of the United States, as amended by the Act of June 15, 1935 (49 Stat. 378), relating to the marking of packages containing wild animals and birds and parts thereof.

Penal Code, amend-  
ment.  
49 Stat. 381.  
18 U. S. C., Supp.  
IV, § 393.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 243 of the Act of March 4, 1909, entitled "An Act to codify, revise, and amend the penal laws of the United States", as amended by section 201 of the Act of June 15, 1935 (49 Stat. 378), is hereby amended so as to read as follows:

Interstate, etc.,  
commerce in wild  
animals, birds, etc.  
Marking require-  
ments.

"SEC. 243. All packages or containers in which wild animals or birds, or the dead bodies or parts thereof (except furs, hides, or skins of such animals, for which provision is hereinafter made), or the eggs of such birds are shipped, transported, carried, brought, or conveyed, by any means whatever from one State, Territory, or the District of Columbia to, into, or through another State, Territory, or the District of Columbia, or to a foreign country, shall be plainly and clearly marked, labeled, or tagged on the outside thereof with the names and addresses of the shipper and consignee and with an accurate statement showing by number and kind the contents thereof: *Provided*, That packages or containers in which migratory birds included in any convention to which the United States is a party, or the dead bodies or parts thereof or eggs of such birds, are shipped, transported, carried, brought, or conveyed, as aforesaid, shall be marked labeled, or tagged as prescribed in any such convention or law or regulation thereunder.

*Proviso.*  
Migratory birds,  
shipments under any  
convention to which  
U. S. is a party.

Furs, hides, or skins  
of wild animals, mark-  
ing of packages, etc.,  
containing.

"All packages or containers in which the furs, hides, or skins of wild animals are shipped, transported, carried, brought, or conveyed, by any means whatever, from one State, Territory, or the District of Columbia to, into, or through another State, Territory, or the District of Columbia, or to a foreign country shall be plainly and clearly marked, labeled, or tagged on the outside thereof with the names and addresses of the shipper and consignee."

Approved, June 19, 1939.

## [CHAPTER 210]

## AN ACT

June 19, 1939  
[S. 2154]  
[Public, No. 132]

To modify the provisions of section 14 of the Act of June 30, 1834, and section 10 of the Act of June 22, 1874, relating to the Indians.

Indians.  
4 Stat. 738; 18 Stat.  
177.  
25 U. S. C. §§ 68, 87.  
Purchases from, by  
Government employ-  
ees authorized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That anything contained in section 14 of the Act of June 30, 1834 (4 Stat. 738), or in section 10 of the Act of June 22, 1874 (18 Stat. 177), now sections 68 and 87, respectively, title 25, United States Code, to the contrary notwithstanding, employees of the United States Government, including those in the Indian Service, may, under such rules and regulations as the Secretary of the Interior shall prescribe, be permitted to purchase from any Indian or Indian organization any arts and crafts or any other product, service, or commodity, produced, rendered, owned, controlled, or furnished by any Indian or Indian organization: *Provided, however*, That no employee of the United States Government shall be permitted to make any such purchases for the purpose of engaging directly or indirectly in the commercial selling, reselling, trading, or bartering of said purchases by the said employee: *Provided further*, That nothing contained in the Acts of Congress above referred to shall be construed as preventing Indian employees of the United States Government,

*Provisos.*  
Restriction on re-  
sale, etc.

Benefits to Gov-  
ernment employees of  
Indian blood.

of whatever degree of Indian blood, during their term of employment or otherwise, from obtaining or receiving any benefit or benefits made available to the Indians generally or to the members of any particular tribe, under any Act of Congress, nor to prevent such employees having Indian blood from being members of or receiving benefits by reason of their membership in Indian tribes, corporations, or cooperative associations organized by the Indians, when authorized by the Secretary of the Interior under appropriate regulations to be promulgated by him.

Approved, June 19, 1939.

[CHAPTER 211]

AN ACT

To make effective in the district court for the Territory of Hawaii rules promulgated by the Supreme Court of the United States governing pleading, practice, and procedure in the district courts of the United States.

June 19, 1939  
[H. R. 162]  
[Public, No. 133]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That a new section be inserted in the Act entitled "An Act to provide a government for the Territory of Hawaii", approved April 30, 1900 (31 Stat. 141), as amended, immediately following section 86 thereof, to read as follows:

United States district court for Hawaii.  
31 Stat. 158.  
48 U. S. C. § 641.

"86a. That the rules heretofore or hereafter promulgated and made effective by the Supreme Court of the United States under authority of the Act approved June 19, 1934 (48 Stat. 1064; U. S. C., title 28, secs. 723b, 723c), or under authority of any other statute, regulating the forms of process, writs, and motions, and the pleadings, practice, and procedure, in action of a civil nature in the district courts of the United States, and regulating appeals therefrom, shall apply to the district court of the United States for Hawaii and to appeals therefrom."

Rules of civil procedure, etc., in U. S. district courts made applicable to.  
48 Stat. 1064.  
28 U. S. C. §§ 723b, 723c.

Approved, June 19, 1939.

[CHAPTER 212]

AN ACT

To amend Public Law Numbered 370, Seventy-fourth Congress, approved August 27, 1935 (49 Stat. 906).

June 19, 1939  
[H. R. 3065]  
[Public, No. 134]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Public Law Numbered 370, Seventy-fourth Congress, approved August 27, 1935, is amended by adding a paragraph to the said Act reading as follows:

"The Secretary of State acting through such officers as he may designate, is further authorized to consider, adjust, and pay from funds appropriated for the project, the construction of which resulted in damages, any claim for damages accruing after March 31, 1937, caused to owners of lands or other private property of any kind by reason of the operations of the United States, its officers or employees, in the survey, construction, operation, or maintenance of any project constructed or administered through the American Commissioner, International Boundary Commission, United States and Mexico, if such claim for damages does not exceed \$1,000 and has been filed with the American Commissioner within one year after the damage is alleged to have occurred, and when in the opinion of the American Commissioner such claim is substantiated by a report of a board appointed by the said Commissioner."

International Boundary Commission, United States and Mexico, American section.  
49 Stat. 906.  
Adjustment and payment of certain private property damage claims.

Approved, June 19, 1939.

## [CHAPTER 214]

## AN ACT

June 20, 1939  
[S. 1886]  
[Public, No. 135]

To extend to June 16, 1942, the period within which certain loans to executive officers of member banks of the Federal Reserve System may be renewed or extended.

Federal Reserve  
Act, amendments.  
49 Stat. 716.  
12 U. S. C., Supp.  
IV, § 375a.

Loans to executive  
officers of member  
banks prohibited.

*Provisos.*  
Loans made prior  
to June 16, 1933; re-  
newal or extension.

Extension of credit  
on approval of board  
of directors.

State banks, mem-  
bership requirement.  
Subsection repealed.  
49 Stat. 703.  
12 U. S. C., Supp.  
IV, § 264(y).  
Textual amend-  
ment.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the first sentence of subsection (g) of section 22 of the Federal Reserve Act, as amended (U. S. C., title 12, sec. 375a), is amended to read as follows:

"(g) No executive officer of any member bank shall borrow from or otherwise become indebted to any member bank of which he is an executive officer, and no member bank shall make any loan or extend credit in any other manner to any of its own executive officers: *Provided*, That loans made to any such officer prior to June 16, 1933, may be renewed or extended for periods expiring not more than five years from June 16, 1939, where the board of directors of the member bank shall have satisfied themselves that such extension or renewal is in the best interest of the bank, and that the officer indebted has made reasonable effort to reduce his obligation, these findings to be evidenced by resolution of the board of directors spread upon the minute book of the bank: *Provided further*, That with the prior approval of a majority of the entire board of directors, any member bank may extend credit to any executive officer thereof, and such officer may become indebted thereto, in an amount not exceeding \$2,500."

SEC. 2. Paragraph (1) of subsection (y) of section 12B of the Federal Reserve Act, as amended, is hereby repealed and paragraph (2) of said subsection is amended by striking out "(2)" at the beginning of said paragraph.

Approved, June 20, 1939.

## [CHAPTER 215]

## AN ACT

June 20, 1939  
[H. R. 5436]  
[Public, No. 136]

To authorize the grant of a sewer right-of-way and operation of sewage-treatment plant on the Fort Niagara Military Reservation, New York, by the village of Youngstown, New York.

Fort Niagara Military  
Reservation,  
N. Y.  
Grant of sewer  
right-of-way, etc., to  
Youngstown, N. Y.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized to grant to the village of Youngstown, Niagara County, New York, a municipal corporation, for a term of fifty years, an easement for right-of-way for a sewer line to be constructed by said village on the Fort Niagara Military Reservation, New York, from said village to a sewage-treatment plant to be constructed by the Secretary of War on said reservation, and to contract from time to time for the operating and maintenance of said plant by the village for the treatment of sewage of said post and the village, upon such terms and conditions as the Secretary of War deems advisable.

Condition.

SEC. 2. That said easement shall not be granted until the Legislature of the State of New York shall have first provided by appropriate legislation that the granting of the easement shall not impair or invalidate any of the rights, title, or privileges granted to the United States pursuant to the act of the Legislature of New York passed April 21, 1840 (N. Y. Laws, 1840, ch. 155, p. 113).

Legislation re-  
pealed.  
52 Stat. 592.

SEC. 3. That the Act of May 31, 1938 (52 Stat. 592), to authorize the Secretary of War to lease to the village of Youngstown, New York, a portion of the Fort Niagara Military Reservation, New York, be, and the same is hereby repealed.

SEC. 4. There is hereby authorized to be appropriated the sum of \$60,000 to carry out the provisions of this Act.

Appropriation authorized.

Approved, June 20, 1939.

[CHAPTER 220]

AN ACT

To authorize the disposal of cemetery lots.

June 20, 1939

[H. R. 3132]

[Public, No. 137]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized to dispose of by sale or exchange for other lots, in the manner and upon such terms as he shall deem expedient, all the right, title, and interest of the United States of America in and to burial lots located in commercial cemeteries, and to execute and deliver in the name of the United States of America and in its behalf any and all contracts, conveyances, or other instruments necessary to effectuate such sale or exchange, and that the expense of any sale shall be paid from the proceeds thereof and the net proceeds deposited in the Treasury to the credit of miscellaneous receipts.

War Department.  
Disposal of burial  
lots in commercial  
cemeteries authorized.

Expenses of sales.

Approved, June 20, 1939.

[CHAPTER 224]

AN ACT

To dispense with particular allegations as to renunciation of allegiance in petitions for naturalization and in the oath of renunciation of foreign allegiance, by omitting the name of "the prince, potentate, state, or sovereignty" of which the petitioner for naturalization is a subject or citizen.

June 20, 1939

[H. R. 2200]

[Public, No. 138]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the first subdivision of section 4 of the Act of June 29, 1906, as amended (45 Stat. 1545; U. S. C., title 8, sec. 373), is amended to read as follows:

Naturalization of  
aliens.  
45 Stat. 1545.  
8 U. S. C. § 373.

"First. He shall declare on oath before the clerk of any court authorized by this Act to naturalize aliens, or his authorized deputy, in the district in which such alien resides, two years at least prior to his admission, and after he has reached the age of eighteen years, that it is bona fide his intention to become a citizen of the United States and to reside permanently therein, and that he will, before being admitted to citizenship renounce forever all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty. Such declaration shall set forth the name, age, occupation, personal description, place of birth, last foreign residence, the date of arrival, the name of the vessel, if any, in which he came to the United States, and the present place of residence in the United States of said alien. No declaration of intention or petition for naturalization shall be made outside of the office of the clerk of court."

Declaration of in-  
tention, how made;  
contents.

SEC. 2. The second paragraph of the second subdivision of section 4 of the Act of June 29, 1906 (34 Stat. 597; U. S. C., title 8, sec. 379), is amended to read as follows: "The petition shall set forth that he is not a disbeliever in or opposed to organized government or a member of or affiliated with any organization or body or persons teaching disbelief in or opposed to organized government, a polygamist or believer in the practice of polygamy, and that it is his intention to become a citizen of the United States and to renounce absolutely and forever all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty, and that it is his intention to reside permanently within the United States, whether or not he has been denied admission as a citizen of the United States, and if denied, the ground or

Petition for natural-  
ization; when required  
to be filed; contents.  
34 Stat. 597.  
8 U. S. C. § 379.

Oath to support  
Constitution and  
laws; renunciation of  
foreign allegiance.  
34 Stat. 597.  
8 U. S. C. § 381.

grounds of such denial, the court or courts in which such decision was rendered, and that the cause for such denial has been since cured or removed and every fact material to his naturalization and required to be proved upon the final hearing of his application.

SEC. 3. The third subdivision of section 4 of said Act of June 29, 1906 (34 Stat. 597-598; U. S. C., title 8, sec. 381), is amended to read as follows: "He shall, before he is admitted to citizenship, declare on oath, in open court, that he will support the Constitution of the United States, and that he absolutely and entirely renounces and abjures all allegiance and fidelity to any foreign prince, potentate, state, or sovereignty of which he was before a citizen or subject; and he will support and defend the Constitution and laws of the United States against all enemies, foreign and domestic, and bear true faith and allegiance to the same."

Approved, June 20, 1939.

#### [CHAPTER 225]

#### AN ACT

June 20, 1939  
[H. R. 4745]  
[Public, No. 139]

Relating to benefit assessments from condemnation proceedings for the opening, extension, widening, or straightening of alleys or minor streets.

District of Colum-  
bia.  
33 Stat. 733.  
Condemnation pro-  
ceedings for opening,  
etc., of alleys or minor  
streets; benefit assess-  
ments.

*Provisos.*  
If damages plus  
costs of proceedings  
exceed amount of  
benefits.

Payment of excess  
of damages plus costs  
over amount of assess-  
ment for benefits.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in all condemnation proceedings instituted by the Commissioners of the District of Columbia in accordance with the provisions of sections 1608 to 1610 of the Code of Law for the District of Columbia for the acquisition of land for the opening, extension, widening, or straightening of alleys or minor streets, all, or any part of the entire amount found to be due and awarded by the jury in said proceedings as damages for, and in respect of, the land condemned, plus all or any part of the costs and expenses of said proceedings, may be assessed by the jury as benefits: *Provided, however,* That if the total amount of damages awarded by the jury in any such proceedings, plus the costs and expenses of said proceedings, be in excess of the total amount of benefits, it shall be optional with the Commissioners of the District of Columbia to abide by the verdict of the jury, or, at any time before the final ratification and confirmation of the verdict, to enter a voluntary dismissal of the cause: *Provided further,* That if the total amount of damages awarded by the jury in any such proceedings, plus the costs and expenses of said proceedings, be in excess of the total amount of the assessment for benefits, any such excess in any verdict for the acquisition of land for minor streets or alleys, shall be paid out of the appropriation available for the payment of damages awarded and costs incurred under said verdict.

Approved, June 20, 1939.

#### [CHAPTER 226]

#### AN ACT

June 20, 1939  
[H. R. 5066]  
[Public, No. 140]

To amend the Act entitled "An Act to regulate proceedings in adoption in the District of Columbia", approved August 25, 1937.

District of Colum-  
bia.  
Adoption proceed-  
ings; extension of peri-  
od for investigation.  
50 Stat. 806.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 1 of the Act entitled "An Act to regulate proceedings in adoption in the District of Columbia" be amended by striking out the word "sixty" in the last paragraph thereof and inserting in lieu thereof the word "ninety".

Approved, June 20, 1939.

## [CHAPTER 227]

## AN ACT

To amend the Railroad Unemployment Insurance Act, approved June 25, 1938.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the second paragraph of subsection (d) of section 1 of the Railroad Unemployment Insurance Act, approved June 25, 1938 (52 Stat. 1094), is hereby amended by inserting "(e)" at the beginning thereof, and by changing the period at the end thereof to a colon and adding the following: "*Provided further*, That an individual not a citizen or resident of the United States shall not be deemed to be in the service of an employer when rendering service outside the United States to an employer who is required under the laws applicable in the place where the service is rendered to employ therein, in whole or in part, citizens or residents thereof."

SEC. 2. Subsection (e) of section 1 of said Act is hereby amended by striking out "(e)" at the beginning thereof and substituting "(f)" therefor.

SEC. 3. Subsection (f) of section 1 of said Act is hereby stricken out.

SEC. 4. Subsection (h) of section 1 of said Act is hereby amended to read as follows:

"(h) The term 'half-month' means such period of any fifteen consecutive days as the Board may by regulation prescribe."

SEC. 5. Subsection (i) of section 1 of said Act is hereby amended by striking out the comma following the word "money".

SEC. 6. Subsection (k) of section 1 of said Act is hereby amended to read as follows:

"(k) Subject to the provisions of section 4 of this Act, a day of unemployment, with respect to any employee, means a calendar day on which he is able to work and is available for work and with respect to which (i) no remuneration is payable to him, and (ii) he has, in accordance with such regulations as the Board may prescribe, registered at an employment office: *Provided, however*, That, with respect to any employee whose normal work shift includes a part of each of two consecutive calendar days, the term 'calendar day', as heretofore used in this subsection, shall mean such equivalent period of twenty-four hours as the Board may by regulation prescribe."

SEC. 7. The first paragraph of subsection (a) of section 2 of said Act is hereby amended to read as follows:

"SEC. 2. (a) A qualified employee shall be paid benefits for each day of unemployment in excess of seven during any half-month which begins after June 30, 1939."

SEC. 8. Subsection (d) of section 2 of said Act is hereby stricken out.

SEC. 9. Subsections (e), (f), and (g) of section 2 of said Act are hereby amended by striking out the designations "(e)", "(f)", and "(g)" and substituting therefor "(d)", "(e)", and "(f)", respectively; and said subsection (g) is further amended by striking out from the last sentence thereof the words "subsections (a) and", and substituting therefor the word "subsection".

SEC. 10. Subsection (b) of section 3 of said Act is hereby amended by striking out the words "fifteen consecutive days of unemployment, or two half-months", by inserting in place thereof the words "one half-month", and by striking out the words "each of".

June 20, 1939

[H. R. 5474]

[Public, No. 141]

Railroad Unemployment Insurance Act, amendments.  
52 Stat. 1094.  
45 U. S. C., Supp. IV, ch. 11.

Exclusion of certain service rendered outside United States.

Textual changes.

Subsection stricken out.

"Half-month" defined.

"Compensation."

A day of unemployment, definition.  
*Post*, p. 846.

*Proviso.*  
Where normal shift includes parts of two consecutive calendar days.

52 Stat. 1096.  
45 U. S. C., Supp. IV, § 352 (a).  
Qualified employees.

Subsection stricken out.

Textual changes.

Waiting period.  
52 Stat. 1097.  
45 U. S. C., Supp. IV, § 353.

Disqualifying conditions.  
52 Stat. 1098.  
45 U. S. C., Supp. IV, § 354.  
Leaving work voluntarily without good cause.

Failing to accept suitable work without good cause.

Unemployment due to strike in violation of law.

44 Stat. 577.  
45 U. S. C. ch. 8; Supp. IV, ch. 8.

False or fraudulent statements.

Receipt of benefits under designated Acts.

49 Stat. 967; 50 Stat. 307.  
45 U. S. C., Supp. IV, ch. 9.  
49 Stat. 622.  
42 U. S. C., Supp. IV, §§ 401-410a.

Persons paid on mileage basis; limitations.

Strike, etc., disqualification, exceptions.

Nonparticipants, etc.

*Proviso.*  
Payment of dues not deemed financing strike.

Employees not belonging to designated class, any of whom participate, etc., in dispute.

*Proviso.*  
Enterprise conducting separate types of work.

SEC. 11. Section 4 of said Act is hereby amended to read as follows:  
"SEC. 4. (a) There shall not be considered as a day of unemployment, with respect to any employee—

"(i) any of the thirty days beginning with the day with respect to which the Board finds that he left work voluntarily without good cause;

"(ii) any of the thirty days beginning with the day with respect to which the Board finds that he failed, without good cause, to accept suitable work available on such day and offered to him;

"(iii) subject to the provisions of subsection (b) of this section, any day with respect to which the Board finds that his unemployment was due to a stoppage of work because of a strike in the establishment, premises, or enterprise at which he was last employed, and the Board finds that such strike was commenced in violation of the provisions of the Railway Labor Act or in violation of the established rules and practices of a bona fide labor organization of which he was a member;

"(iv) any of the seventy-five days beginning with the first day of any half-month with respect to which the Board finds that he knowingly made or aided in making or caused to be made any false or fraudulent statement or claim for the purpose of causing benefits to be paid;

"(v) any day in any period with respect to which the Board finds that he is receiving, has received, or has a right to receive compensation or other wages in lieu of notice, annuity payments or pensions under the Railroad Retirement Act of 1935 or the Railroad Retirement Act of 1937, or old-age benefits under title II of the Social Security Act or payments for similar purposes under any other Act of Congress; or he is receiving or has received unemployment benefits under an unemployment-compensation law of any State or of the United States other than this Act;

"(vi) any day in any half-month with respect to which the Board finds that, pursuant to a contract of employment providing for the determination of his compensation, wholly or partially, on a mileage basis, he earned at least the equivalent of eight times the schedule daily rate of compensation for the service in which he was last employed during that half-month.

"(b) The disqualification provided in section 4 (a) (iii) of this Act shall not apply if the Board finds that—

"(i) the employee is not participating in or financing or directly interested in the strike which causes the stoppage of work: *Provided*, That payment of regular union dues shall not be construed to constitute financing a strike or direct interest in a strike within the meaning of this and the following paragraphs; and

"(ii) he does not belong to a grade or class of workers of which, immediately before the commencement of the stoppage, there were members employed in the establishment, premises, or enterprise at which the stoppage occurs, any of whom are participating in or financing or directly interested in the dispute: *Provided*, That if separate types of work are commonly conducted in separate departments of a single enterprise, each such department shall, for the purposes of this subsection, be deemed to be a separate establishment, enterprise, or other premises.

"(c) No work shall be deemed suitable for the purposes of section 4 (a) (ii) of this Act, and benefits shall not be denied under this Act to any otherwise qualified employee for refusing to accept work if—

"(i) the position offered is vacant due directly to a strike, lockout, or other labor dispute;

"(ii) the remuneration, hours, or other conditions of work offered are substantially less favorable to the employee than those prevailing for similar work in the locality, or the rate of remuneration is less than the union wage rate, if any, for similar work in the locality;

"(iii) as a condition of being employed he would be required to join a company union or to resign from or refrain from joining any bona fide labor organization;

"(iv) acceptance of the work would require him to engage in activities in violation of law or which, by reason of their being in violation of reasonable requirements of the constitution, bylaws, or similar regulations of a bona fide labor organization of which he is a member, would subject him to expulsion from such labor organization; or

"(v) acceptance of the work would subject him to loss of substantial seniority rights under any collective bargaining agreement between a railway labor organization, organized in accordance with the provisions of the Railway Labor Act, and any other employer.

"(d) In determining, within the limitations of section 4 (c) of this Act, whether or not any work is suitable for an employee for the purposes of section 4 (a) (ii) of this Act, the Board shall consider, in addition to such other factors as it deems relevant, (i) the current practices recognized by management and labor with respect to such work; (ii) the degree of risk involved to such employee's health, safety, and morals; (iii) his physical fitness and prior training; (iv) his experience and prior earnings; (v) his length of unemployment and prospects for securing work in his customary occupation; and (vi) the distance of the available work from his residence and from his most recent work.

"(e) For the purposes of section 4 (a) (i) of this Act, no voluntary leaving of work shall be deemed to have been without good cause if the Board finds that such work would not have been suitable for the purposes of section 4 (a) (ii) of this Act."

SEC. 12. Section 6 of said Act is hereby amended to read as follows:

"SEC. 6. Employers shall file with the Board, in such manner and at such times as the Board by regulations may prescribe, returns under oath of monthly compensation of employees, and, if the Board shall so require, shall distribute to employees annual statements of compensation prepared by the Board: *Provided*, That no returns shall be required of employers which would duplicate information contained in similar returns required under any other Act of Congress administered by the Board. Any such return shall be conclusive as to the amount of compensation earned by an employee during the period covered by the return, and the fact that no return was made of the compensation claimed to be earned by an employee during a particular period shall be taken as conclusive that no compensation was earned by such employee during that period, unless the error in the amount of compensation returned in the one case, or failure to make return of the compensation in the other case, is called to the attention of the Board within eighteen months after the date on which the last return covering any portion of the calendar year which includes such period is required to have been made."

Unsuitable work.

Position offered is vacant due to labor dispute.

Unfavorable labor conditions.

Labor union membership.

Acceptance would involve law violation.

Loss of substantial seniority rights.

Additional factors in determining suitable work.

Current recognized practices.

Degree of risk involved.  
Fitness, prior earnings, etc.  
Length of unemployment, etc.  
Distance of available work.

Voluntarily leaving unsuitable work.

Monthly compensation returns.  
52 Stat. 1101.  
45 U. S. C., Supp. IV, § 356.

*Provided*. Duplicate information.

Conclusiveness.



52 Stat. 1104.  
45 U. S. C., Supp.  
IV, § 360 (a).  
Textual change.  
Advances to credit  
of fund.  
52 Stat. 1105.  
45 U. S. C., Supp.  
IV, § 361 (b).

Availability of  
moneys credited to  
fund.  
52 Stat. 1105.  
45 U. S. C., Supp.  
IV, § 361 (c).

Eligibility under  
State law.  
52 Stat. 1108.  
45 U. S. C., Supp.  
IV, § 362 (g).

Certification not to  
be withheld if State  
authorizes transfer.  
52 Stat. 1111.  
45 U. S. C., Supp.  
IV, § 363 (c).

Withholding of  
grants to noncooper-  
ating States.  
52 Stat. 1112.  
45 U. S. C., Supp.  
IV, § 503.

52 Stat. 1113.  
45 U. S. C., Supp.  
IV, § 365.  
Waiting period, days  
of unemployment,  
etc., provisions modi-  
fied.

52 Stat. 1096.  
45 U. S. C., Supp.  
IV, § 351 (n).  
"Benefit year" de-  
fined.

52 Stat. 1096.  
45 U. S. C., Supp.  
IV, § 352.  
Benefits accrued but  
not yet paid at death.

50 Stat. 312, 311.  
45 U. S. C., Supp.  
IV, §§ 228e, 228c.

Provisions of  
amended Act not af-  
fected by Internal  
Revenue Code.  
53 Stat., pt. 1.

SEC. 13. Subsection (a) of section 10 of said Act is hereby amended by striking out "2 (g)" and substituting "2 (f)" therefor.

SEC. 14. The second paragraph of subsection (b) of section 11 of said Act is hereby amended by striking out the comma after the words "of administering this Act" and by striking out the words "including personal services in the District of" and substituting therefor a period and the words "Such advance shall be repaid from the fund at".

SEC. 15. Subsection (c) of section 11 of said Act is hereby amended by striking out the period after the words "administering this Act" and by striking out the words "Such advance shall be repaid from the fund at" and substituting therefor a comma and the words "including personal services in the District of".

SEC. 16. Subsection (g) of section 12 of said Act is hereby amended by inserting after the word "eligible" a comma and the words "with respect to unemployment after June 30, 1939," and by striking out the words "after June 30, 1939".

SEC. 17. Subsection (d) of section 13 of said Act is hereby amended by striking out the word "unemployment-compensation" before the word "account" in the first paragraph of said section, and substituting therefor the words "unemployment insurance", and by striking out the word "compensation" before the word "account" in the second paragraph of said section and substituting therefor the word "insurance".

SEC. 18. Subsection (c) of section 303 of the Social Security Act as added by subsection (g) of section 13 of said Railroad Unemployment Insurance Act is hereby amended by striking out the word "employment" and substituting therefor the word "unemployment".

SEC. 19. Section 15 of said Act is hereby amended to read as follows:

"SEC. 15. The restrictions in the second sentence of section 3 (b) and in section 4 (a) (v) of this Act, insofar as they involve the receipt of unemployment benefits under an unemployment compensation law of any State, shall not be applicable to any day of unemployment which occurs after June 15, 1939, but before July 1, 1939."

SEC. 20. Subsection (n) of section 1 of said Act is hereby amended to read as follows:

"(n) The term 'benefit year', with respect to any employee, means the twelve-months period which begins with the first day of the first half-month containing days of unemployment for which benefits are payable to him, and thereafter the twelve-months period which begins with the first day of the first half-month, after the termination of his last preceding benefit year, containing days of unemployment for which benefits are payable to him."

SEC. 21. Section 2 of said Act is hereby further amended by adding thereto the following subsections:

"(g) Benefits accrued to an individual but not yet paid at death shall, upon certification by the Board, be paid, without necessity of filing further claims therefor, to the same individual or individuals to whom any death benefit that may be payable under the provisions of section 5 of the Railroad Retirement Act of 1937 or any accrued annuities under section 3 (f) of the Railroad Retirement Act of 1937 are paid; and in the event that no death benefit or accrued annuity is so paid, such benefits accrued under this Act shall be paid as though this subsection had not been enacted."

SEC. 22. The provisions of the Railroad Unemployment Insurance Act, as herein amended, shall be in full force and effect notwithstanding the enactment of the Internal Revenue Code.

Approved, June 20, 1939.

## [CHAPTER 228]

## AN ACT

To provide for the widening of Wisconsin Avenue in the District of Columbia, and for other purposes.

June 20, 1939  
[H. R. 5488]  
[Public, No. 142]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Commissioners of the District of Columbia be, and they are hereby, authorized to institute in the District Court of the United States for the District of Columbia under subchapter 1 of chapter XV of the Code of Laws for the District of Columbia, and amendments thereto, such proceedings in rem as may be necessary to condemn the land necessary for the widening of Wisconsin Avenue, in the District of Columbia, from R Street to approximately the southerly line of the Mount Alto Hospital property, the condemnation proceedings for the acquisition of the land necessary for said widening to be instituted on such lines and to be acquired to such width or widths as the said Commissioners of the District of Columbia shall deem expedient: *Provided*, That the width of said Wisconsin Avenue at any point south of the south line of Calvert Street shall not be increased by reason of the condemnation proceedings authorized herein to a greater width than seventy-eight feet.

District of Columbia.  
Widening of Wisconsin Avenue authorized.  
45 Stat. 1437.  
25 D. C. Code, ch. 5; Supp. IV, ch. 5.  
Condemnation proceedings.

*Proviso.*  
Limitation.

SEC. 2. All laws now in force and effect for the condemnation of streets as laid down on the plan of the permanent system of highways for the District of Columbia shall be applicable to the condemnation of land for the widening of Wisconsin Avenue as authorized in this Act: *Provided*, That there is hereby authorized to be appropriated out of the special fund entitled "Highway fund, gasoline tax, and motor-vehicle fees, District of Columbia", such amount or amounts as may be necessary to pay the costs and expenses of the condemnation proceedings taken pursuant hereto and for the payment of the amounts awarded as damages, and the jury or juries under said condemnation proceedings shall award such damages as may be found to be due, and levy assessments upon such land as they may find benefited by reason of the acquisition of said land for the widening of Wisconsin Avenue as provided herein, all in accordance with subchapter 1 of chapter XV of the Code of Laws for the District of Columbia and amendments thereto, and the amounts collected as benefits shall be covered into the Treasury of the United States to the credit of the special fund entitled "Highway fund, gasoline tax, and motor-vehicle fees, District of Columbia."

Laws applicable.

*Proviso.*  
Appropriation authorized for costs, expenses, and damages.

Award of damages and levy of assessments upon land benefited.

Disposition of amounts collected as benefits.

Approved, June 20, 1939.

## [CHAPTER 229]

## AN ACT

To amend section 1 of the Act entitled "An Act to authorize The Philadelphia, Baltimore and Washington Railroad Company to extend its present track connection with the United States navy yard so as to provide adequate railroad facilities in connection with the development of Buzzards Point as an industrial area in the District of Columbia, and for other purposes", approved June 18, 1932 (Public, Numbered 187, Seventy-second Congress).

June 20, 1939  
[H. R. 5680]  
[Public, No. 143]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 1 of the Act entitled "An Act to authorize The Philadelphia, Baltimore and Washington Railroad Company to extend its present track connection with the United States navy yard so as to provide adequate railroad facilities in connection with the development of Buzzards Point as an industrial area in the District of Columbia, and for other purposes", approved June 18, 1932 (Public, Numbered 187, Seventy-

District of Columbia.  
Buzzards Point, extension of railroad facilities.

47 Stat. 322.

second Congress), be amended by striking out the words "One-half Street Southwest, One-half Street Southeast, and Second Street Southwest, south of Potomac Avenue and north of Potomac Avenue to P Street", and inserting in lieu thereof "One-half Street Southwest, and Second Street Southwest, south of Potomac Avenue and north of Potomac Avenue to P Street, and One-Half Street Southeast, south of Potomac Avenue and north of Potomac Avenue to O Street".

Approved, June 20, 1939.

[CHAPTER 230]

AN ACT

June 20, 1939  
[H. R. 5801]  
[Public, No. 144]

To grant permission for the construction, maintenance, and use of a certain underground conduit for electrical lines in the District of Columbia.

District of Columbia,  
Doctors' Hospital, Incorporated, construction, etc., of underground conduit for electrical lines by, authorized.  
Location.

Supervision, rental, etc.

Designation of location, repairs and relocation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Commissioners of the District of Columbia are hereby authorized and directed to grant permission to the Doctors' Hospital, Incorporated, its successors and assigns, to lay down, construct, maintain, and use an underground conduit for electrical lines in the city of Washington, in the District of Columbia, from the building located at and known as 1815 Eye Street Northwest, directly south to the building located at and known as 1816 Eye Street Northwest.

SEC. 2. That all the construction and use provided for herein shall be under such regulations and rentals as the Commissioners of the District of Columbia may make and establish in connection therewith and all plans and specifications for such construction shall be subject to their approval. The Commissioners of the District of Columbia shall have full authority to designate the location and to cause such repairs or relocation of such conduit as the public necessity may require, any such repairs or relocation to be at the expense of the Doctors' Hospital, Incorporated, its successors or assigns.

Approved, June 20, 1939.

[CHAPTER 231]

AN ACT

June 20, 1939  
[H. R. 5987]  
[Public, No. 145]

To amend the District of Columbia Traffic Act of 1925 (43 Stat. 1119).

District of Columbia Traffic Act, amendment.  
43 Stat. 1122.

Permits for operators of federally owned vehicles on transient, etc., official business not required.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subdivision (e) of section 7 of the District of Columbia Traffic Act, approved March 3, 1925 (43 Stat. 1119), is amended by changing the period to a colon after the words "under the provisions of this Act" and adding the following: "*Provided*, That operators of Federal Government-owned vehicles stationed outside of the District of Columbia shall not be required to have or obtain the operators' permits referred to above while operating such vehicles within the limits of the District of Columbia on transient or temporary official business of the Federal Government."

Approved, June 20, 1939.

## [CHAPTER 234]

## AN ACT

To extend further time for naturalization to alien veterans of the World War under the Act approved May 25, 1932 (47 Stat. 165), to extend the same privileges to certain veterans of countries allied with the United States during the World War, and for other purposes.

June 21, 1939

[H. R. 805]

[Public, No. 146]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That subdivision (a) of section 1 of the Act entitled "An Act to further amend the naturalization laws, and for other purposes", approved May 25, 1932 (47 Stat. 165; U. S. C., Supp. VII, title 8, sec. 392b (a)), shall, as herein amended, continue in force and effect to include petitions for citizenship filed prior to May 25, 1940, with any court having naturalization jurisdiction: *Provided*, That for the purposes of this Act clause (1) of subdivision (a) of section 1 of the aforesaid Act of May 25, 1932, is amended by striking out the words "all such period" and in lieu thereof inserting the words "the five years immediately preceding the filing of his petition;"

Naturalization of alien veterans of World War.  
47 Stat. 165.  
8 U. S. C. § 392b; Supp. IV, § 392b.  
Extension of privileges to May 25, 1940.

*Proviso.*  
Proof of continuous residence and good behavior.

Service in forces of United States, etc.

*Proviso.*  
Terms, conditions, etc.

Rules to be prescribed.

SEC. 2. The provisions of section 1 of this Act are hereby extended to include any alien lawfully admitted into the United States for permanent residence who departed therefrom, for the purpose of serving, and actually served prior to November 11, 1918, in the military or naval forces of the United States in the World War and was discharged from such service under honorable circumstances: *Provided*, That before any applicant for citizenship under this section is admitted to citizenship the court shall be satisfied by competent proof that he is entitled to and has complied in all respects with the provisions of this Act; and that he was and had been a bona fide lawfully admitted resident in the United States for two years before the passage of this Act.

SEC. 3. The Commissioner of Immigration and Naturalization, with the approval of the Secretary of Labor, shall prescribe such rules and regulations as may be necessary for the enforcement of this Act.

Approved, June 21, 1939.

## [CHAPTER 235]

## AN ACT

To define the status of certain lands purchased for the Choctaw Indians, Mississippi.

June 21, 1939

[H. R. 3367]

[Public, No. 147]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That title to all lands purchased by the United States for the benefit of the Choctaw Indians of Mississippi, under authority contained in the Act of May 25, 1918 (40 Stat. L., 573), and similar subsequent Acts, not under contract for resale to Choctaw Indians, or on which existing contracts of resale may hereafter be canceled, is hereby declared to be in the United States in trust for such Choctaw Indians of one-half or more Indian blood, resident in Mississippi, as shall be designated by the Secretary of the Interior.

Choctaw Indians of Mississippi.  
Status of certain lands purchased for, defined.  
40 Stat. 573.

Approved, June 21, 1939.

## [CHAPTER 236]

## AN ACT

June 21, 1939  
[H. R. 4940]

[Public, No. 148]

To authorize the furnishing of steam from the Central Heating Plant to the District of Columbia.

District of Columbia.

Central Heating Plant, furnishing of steam to certain buildings to be erected, authorized.

Provides.  
Payment.

Connections with  
Government mains.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior, through the National Park Service, be, and he is hereby, authorized to furnish steam from the Central Heating Plant to such buildings as may be erected by the District of Columbia on the property in the District of Columbia bounded by C Street, Third Street, Indiana Avenue, D Street, and John Marshall Place Northwest, and known as square 533; on the property bounded by C Street, John Marshall Place, Louisiana Avenue, and Sixth Street Northwest, and known as square 490; on the property bounded by Pennsylvania Avenue, John Marshall Place, C Street, and Sixth Street Northwest, and known as square 491; and on the property bounded by Pennsylvania Avenue, Third Street, C Street, and John Marshall Place Northwest, and known as reservation 10: *Provided,* That the District of Columbia agrees to pay for the steam furnished at reasonable rates, not less than cost, as may be determined by the Secretary of the Interior: *And provided further,* That the District of Columbia agrees to provide all necessary connections with the Government mains at its own expense, and in a manner satisfactory to the Secretary of the Interior.

Approved, June 21, 1939.

## [CHAPTER 237]

## JOINT RESOLUTION

June 21, 1939

[H. J. Res. 180]

[Pub. Res., No. 23]

To provide that the United States extend to foreign governments invitations to participate in the Seventh International Congress for the Rheumatic Diseases to be held in the United States during the calendar year 1940, and to authorize an appropriation to assist in meeting the expenses of the session.

Seventh International Congress for the Rheumatic Diseases.

President requested to invite participation by foreign governments.

Appropriation authorized.

Personal services.

5 U. S. C. §§ 661-674; Supp. IV, §§ 673, 673c.

R. S. § 3709.  
41 U. S. C. § 5.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President is hereby authorized and requested to invite foreign governments to participate in the Seventh International Congress for the Rheumatic Diseases to be held in New York, New York, Philadelphia, Pennsylvania, and Boston, Massachusetts, probably from May 26 to June 1, inclusive, 1940, under the auspices of the Ligue Internationale contre le Rhumatisme (the International League Against Rheumatism).

SEC. 2. The sum of \$5,000, or so much thereof as may be necessary, is hereby authorized to be appropriated for the expenses of organizing, holding, and publishing the proceedings of the Seventh International Congress for the Rheumatic Diseases, including expenditures for personal services in the District of Columbia and elsewhere without regard to the Classification Act of 1923, as amended, communication services, stenographic and other services by contract if deemed necessary without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); travel expenses, local transportation, hire of motor-propelled passenger-carrying vehicles, rent in the District of Columbia and elsewhere, printing and binding, entertainment, official cards, purchase of newspapers and periodicals, necessary books and documents, stationery, membership badges, such expenses as may be actually and necessarily incurred by the Government of the United States by reason of observance of appropriate courtesies in connection therewith, and such other expenses as may be authorized by the Secretary of State.

Approved, June 21, 1939.

## [CHAPTER 238]

## AN ACT

To amend the Agricultural Adjustment Act of 1938, as amended.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That paragraph (1) of subsection (c) of section 344 of the Agricultural Adjustment Act of 1938, as amended (relating to minimum county allotments of acreage), is amended by striking out "For 1938 and 1939" and inserting in lieu thereof "For 1938, 1939, and any subsequent year".

SEC. 2. Subsection (g) of section 344 of such Act, as amended (relating to the 4 per centum allotment to farms), is amended by striking out "For each of the years 1938 and 1939" and inserting in lieu thereof "For 1938, 1939, and each subsequent year".

SEC. 3. Subsection (h) of section 344 of such Act, as amended (relating to providing an acreage to farms of not less than 50 per centum of 1937 planted acreage plus diverted acreage), is amended by striking out "for each of the years 1938 and 1939" and inserting in lieu thereof "for 1938, 1939, and each subsequent year".

Approved, June 22, 1939.

June 22, 1939  
[S. 1559]  
[Public, No. 149]

Agricultural Adjust-  
ment Act of 1938,  
amendments.

Cotton.  
Minimum county  
allotments of acreage,  
continuance.

52 Stat. 58, 203.  
7 U. S. C., Supp.  
IV, § 1344 (e).

Four per centum  
allotment to farms,  
continuance.

52 Stat. 203.  
7 U. S. C., Supp.  
IV, § 1344 (g).

Increased planted  
acreage plus diverted  
acreage, continuance.

52 Stat. 203, 586.  
7 U. S. C., Supp.  
IV, § 1344 (h).

## [CHAPTER 239]

## AN ACT

To ratify and confirm certain interest rates on loans made from the revolving fund authorized by section 6 of the Agricultural Marketing Act, approved June 15, 1929 (46 Stat. 11), and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That interest rates in excess of the rates set forth in notes or other obligations taken by the Federal Farm Board or the Farm Credit Administration for loans made from the revolving fund authorized by section 6 of the Agricultural Marketing Act, approved June 15, 1929 (46 Stat. 11), shall not be charged or collected on any of said loans, whether such loans have been heretofore or are hereafter paid in whole or in part, except that in those cases where a borrower by specific contract has agreed to pay a higher rate of interest, the contract rate shall be charged for the period agreed upon; and the amount of any interest collected in excess of the rates thus set forth or contracted for shall be refunded out of said fund or credited on the borrower's indebtedness.

Approved, June 22, 1939.

June 22, 1939  
[H. R. 2179]  
[Public, No. 150]

Agricultural Mar-  
keting Act.

Excess interest rates  
on loans from revolving  
fund, restriction  
on collection.

46 Stat. 14.  
12 U. S. C. § 1141d;  
Supp. IV, § 1141d.

Exception.

Refund or credit of  
excess interest col-  
lected.

## [CHAPTER 242]

## AN ACT

To provide for temporary postponement of the operations of certain provisions of the Federal Food, Drug, and Cosmetic Act.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That (a) the effective date of the following provisions of the Federal Food, Drug, and Cosmetic Act is hereby postponed until January 1, 1940: Sections 402 (c); 403 (e) (1); 403 (g), (h), (i), (j), and (k); 501 (a) (4); 502 (b), (d), (e), (f), (g), and (h); 601 (e); and 602 (b). (b) The Secretary of Agriculture shall promulgate regulations further postponing to July 1, 1940 the effective date of the provisions of sections 403 (e) (1); 403 (g), (h), (i), (j), and (k); 502 (b), (d), (e), (f), (g), and (h), and 602 (b) of such Act with respect to lithographed labeling which was manufactured prior to February 1,

June 23, 1939  
[H. R. 5762]  
[Public, No. 151]

Federal Food, Drug,  
and Cosmetic Act,  
amendments.

Postponement of  
effective date of cer-  
tain provisions.

52 Stat. 1047, 1048,  
1049, 1050, 1051, 1054.  
21 U. S. C., Supp.  
IV, §§ 342 (c); 343 (e),  
(g)-(k); 351 (a), 352  
(b), (d)-(h); 361 (e);  
362 (b).

Postponement of  
certain labeling pro-  
visions.

*Proviso.*  
Application of regulations restricted.

34 Stat. 768.  
21 U. S. C. §§ 1-15; Supp. IV, chs. 1, 9.  
Operation of certain provisions of law and regulations to remain in force until January 1, 1940.

46 Stat. 1019.  
21 U. S. C. § 10.

Artificial flavoring, coloring, etc., labeling.  
52 Stat. 1048.  
21 U. S. C., Supp. IV, § 343 (k).

#### Exceptions.

Misbranded drugs and devices, false labeling.  
52 Stat. 1050.  
21 U. S. C., Supp. IV, § 352 (d), (e).  
34 Stat. 770.  
21 U. S. C. § 10.

New drugs.  
52 Stat. 1050, 1052.  
21 U. S. C., Supp. IV, §§ 352 (b), (d)-(h), 355.

Label requirements, habit forming drugs.  
52 Stat. 1050.  
21 U. S. C., Supp. IV, § 352 (d).

1939, and to containers bearing labeling which, prior to February 1, 1939, was lithographed, etched, stamped, pressed, printed, fused or blown on or in such containers, where compliance with such provisions would be unduly burdensome by reason of causing the loss of valuable stocks of such labeling or containers, and where such postponement would not prevent the public interest being adequately served: *Provided*, That in no case shall such regulations apply to labeling which would not have complied with the requirements of the Food and Drugs Act of June 30, 1906, as amended.

SEC. 2. (a) The provisions of section 8, paragraph fifth, under the heading "In the case of food:", of the Food and Drugs Act of June 30, 1906, as amended, and regulations promulgated thereunder, and all other provisions of such Act to the extent that they may relate to the enforcement of such section 8 and of such regulations, shall remain in force until January 1, 1940.

(b) The provisions of such Act of June 30, 1906, as amended, to the extent that they impose, or authorize the imposition of, any requirement imposed by section 403 (k) of the Federal Food, Drug, and Cosmetic Act, shall remain in force until January 1, 1940.

(c) Notwithstanding the provisions of section 1 of this Act, such section shall not apply—

(1) to the provisions of section 502 (d) and (e) of the Federal Food, Drug, and Cosmetic Act, insofar as such provisions relate to any substance named in section 8, paragraph second, under the heading "In the case of drugs:", of the Food and Drugs Act of June 30, 1906, as amended, or a derivative of any such substance; or

(2) to the provisions of section 502 (b), (d), (e), (f), (g), and (h) of the Federal Food, Drug, and Cosmetic Act, insofar as such provisions relate to drugs to which section 505 of such Act applies.

SEC. 3. Section 502 (d) of the Federal Food, Drug, and Cosmetic Act is hereby amended by striking out the words "name, quantity, and percentage" where they appear therein and substituting in lieu thereof "name, and quantity or proportion".

Approved, June 23, 1939.

#### [CHAPTER 243]

#### AN ACT

To establish a Coast Guard Reserve to be composed of owners of motorboats and yachts.

June 23, 1939  
[H. R. 5966]  
[Public, No. 152]

Coast Guard Reserve Act of 1939.

Objectives declared.

United States Coast Guard Reserve, establishment, composition, qualifications.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That this Act may be cited as the "Coast Guard Reserve Act of 1939".

SEC. 2. In the interest of (a) safety to life at sea and upon the navigable waters, (b) the promotion of efficiency in the operation of motorboats and yachts, and (c) a wider knowledge of, and better compliance with, the laws, rules, and regulations governing the operation and navigation of motorboats and yachts, and (d) facilitating certain operations of the Coast Guard, there is hereby established a United States Coast Guard Reserve (hereinafter referred to as the "Reserve") which shall be composed of citizens of the United States and of its Territories and possessions, except the Philippine Islands, who are owners (sole or part) of motorboats or yachts, and who may be enrolled therein pursuant to regulations prescribed under the authority of this Act.

SEC. 3. The Reserve shall be a voluntary organization and shall be administered by the Commandant of the Coast Guard (hereinafter referred to as the "Commandant") under the direction of the Secretary of the Treasury, and the Commandant shall, with the approval of the Secretary of the Treasury, prescribe such regulations as may be necessary to effectuate the purposes of this Act.

To be a voluntary organization; administration by Commandant of Coast Guard, etc.

SEC. 4. The Coast Guard is authorized to utilize in the conduct of duties incident to the saving of life and property and in the patrol of marine parades and regattas any motorboat or yacht temporarily placed at its disposition for any of such purposes by any member of the Reserve: *Provided*, That no such motorboat or yacht shall be assigned to any such Coast Guard duty unless it is placed in charge of a commissioned officer, chief warrant officer, warrant officer, or petty officer of the Coast Guard during such assignment: *Provided further*, That appropriations for the Coast Guard shall be available for the payment of actual necessary expenses of operation of any such motorboat or yacht when so utilized, but shall not be available for the payment of compensation for personal services, incident to such operation, to other than the personnel of the regular Coast Guard.

Utilization of boats of Reserve members in conduct of Coast Guard duties.

*Provides*.  
Craft to be placed in charge of Coast Guard officer during such assignment.

Operating expenses, payment restrictions.

SEC. 5. Any motorboat or yacht, while assigned to Coast Guard duty as herein authorized, shall be deemed to be a public vessel of the United States, and, within the meaning of the Act of June 15, 1936 (49 Stat. 1514; U. S. C., Supp. IV, title 14, sec. 71), shall be deemed to be a vessel of the United States Coast Guard.

Motorboat, etc., while so assigned deemed a public vessel.

49 Stat. 1514.  
14 U. S. C., Supp. IV, § 71.

Distinguishing flags and insignia.

SEC. 6. The Secretary of the Treasury shall prescribe one or more suitable distinguishing flags to be flown from the motorboats and yachts owned by members of the Reserve, and one or more suitable insignias which may be worn by such members. Such flags and insignias shall be furnished by the Coast Guard to members of the Reserve at actual cost, and the proceeds received therefor shall be credited to the appropriation from which paid. Any person who shall, without proper authority, fly from a motorboat, yacht, or other vessel, any flag of the Reserve, or wear any insignia of the Reserve, shall, upon conviction thereof, be punished by a fine not exceeding \$100.

Unauthorized use, penalty.

SEC. 7. No member of the Reserve, solely by reason of such membership, shall be vested with or exercise any right, privilege, power, or duty vested in or imposed upon the personnel of the Coast Guard.

Membership not vested with rights, duties, etc., of Coast Guard personnel.

SEC. 8. The services and facilities of the Coast Guard may be employed in the administration and operation of the Reserve; and the appropriations for the Coast Guard shall be available to effectuate the purposes of this Act.

Use of Coast Guard services and appropriations.

Approved, June 23, 1939.

#### [CHAPTER 244]

#### AN ACT

To provide for the training of civil aircraft pilots, and for other purposes.

June 27, 1939  
[H. R. 5619]  
[Public, No. 153]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That this Act may be cited as the "Civilian Pilot Training Act of 1939".

Civilian Pilot Training Act of 1939.

SEC. 2. The Civil Aeronautics Authority is authorized, within the limits of available appropriations made by the Congress, to train civilian pilots or to conduct programs for such training, including studies and researches as to the most desirable qualifications for air-

Civil Aeronautics Authority authorized to provide training for civilian pilots.



Regulations, insurance, laboratory, etc., fees.

*Proviso.*  
No denial of benefits on account of race, creed, or color.  
Conduct through Authority's facilities or by contracts.

52 Stat. 979.  
49 U. S. C., Supp. IV, § 401 (27).

Selections for training.

Leases, loans, etc.

Instructors, examiners and experts.

52 Stat. 973.  
49 U. S. C., Supp. IV, ch. 9.

R. S. § 3709.  
41 U. S. C. § 5.

Cooperation by Government agencies.

Funds authorized for fiscal years 1939 and 1940; limitation on subsequent years.  
*Post*, p. 1302.  
Duration of Act.

*Proviso.*  
Citizenship requirement.

craft pilots. Such training or programs shall be conducted pursuant to such regulations as such Authority may from time to time prescribe, including regulations requiring students participating therein to maintain appropriate insurance and to pay such laboratory or other fees for ground-school training, not exceeding \$40 per student, as the Authority may deem necessary or desirable: *Provided*, That in the administration of this Act, none of the benefits of training or programs shall be denied on account of race, creed, or color. Such training or programs may be carried out either through the use of the facilities and personnel of the Authority or by contracts with educational institutions or other persons (as defined in section 1 (27) of the Civil Aeronautics Act of 1938).

SEC. 3. At least 5 per centum of the students selected for training under this Authority shall be selected from applicants other than college students.

SEC. 4. The Authority is authorized to lease or accept loans of such real property, and to purchase, lease, exchange, or accept loans of such personal property, as may be necessary or desirable for carrying out the provisions of this Act.

SEC. 5. For the purpose of carrying out its functions under this Act, the Authority is authorized to exercise all powers conferred upon it by the Civil Aeronautics Act of 1938 and to appoint and fix the compensation of experienced instructors, airmen, medical and other professional examiners and experts in training or research without regard to the provisions of other laws applicable to the employment and compensation of officers and employees of the United States. The provisions of section 3709 of the Revised Statutes shall not apply to contracts with educational institutions and other persons for the use of aircraft or other facilities or for the performance of services authorized by section 2 of this Act.

SEC. 6. Any executive department or independent establishment is hereby authorized to cooperate with the Authority in carrying out the purposes of this Act, and for such purposes may lend or transfer to the Authority, by contract or otherwise, or if so requested by the Authority, lend to educational institutions or other persons cooperating with the Authority in the conduct of any such training or program, civilian officials, experts, or employees, aircraft and other property or equipment, and lands or buildings under its control and in excess of its own requirements.

SEC. 7. There is hereby authorized to be appropriated the sum of \$5,675,000 for the purpose of carrying out the provisions of this Act during the fiscal years 1939 and 1940 and not to exceed the sum of \$7,000,000 during each subsequent fiscal year. This Act shall expire on July 1, 1944, and all contracts, leases, or other obligations entered into under this Act shall expire on or prior to such date: *Provided*, That no alien shall receive training under the provisions of this Act.

Approved, June 27, 1939.

#### [CHAPTER 246]

#### AN ACT

Making appropriations for the fiscal year ending June 30, 1940, for civil functions administered by the War Department, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1940, for civil functions administered by the War Department, and for other purposes, namely:

June 28, 1939  
[H. R. 6260]  
[Public, No. 154]

War Department  
Civil Appropriation  
Act, 1940.

## QUARTERMASTER CORPS

## CEMETERIAL EXPENSES

For maintaining and improving national cemeteries, including fuel for and pay of superintendents and the superintendent at Mexico City, and other employees; purchase of land; purchase of tools and materials; purchase and exchange of two passenger-carrying motor vehicles; repair, maintenance, and operation of passenger-carrying motor vehicles; care and maintenance of the Arlington Memorial Amphitheater, chapel, and grounds in the Arlington National Cemetery, and that portion of Congressional Cemetery to which the United States has title and the graves of those buried therein, including Confederate graves, and including the burial site of Pushmataha, a Choctaw Indian chief; repair to roadways but not to more than a single approach road to any national cemetery constructed under special Act of Congress; headstones for unmarked graves of soldiers, sailors, and marines under the Acts approved March 3, 1873 (24 U. S. C. 279), February 3, 1879 (24 U. S. C. 280), March 9, 1906 (34 Stat. 56), March 14, 1914 (38 Stat. 768), and February 26, 1929 (24 U. S. C. 280a), and civilians interred in post cemeteries; recovery of bodies and disposition of remains of military personnel and civilian employees of the Army under Act approved March 9, 1928 (10 U. S. C. 916); travel allowances of attendants accompanying remains of military personnel and civilian employees; for repairs and preservation of monuments, tablets, roads, fences, and so forth, made and constructed by the United States in Cuba and China to mark the places where American soldiers fell; care, protection, and maintenance of the Confederate Mound in Oakwood Cemetery at Chicago, the Confederate Stockade Cemetery at Johnstons Island, the Confederate burial plats owned by the United States in Confederate Cemetery at North Alton, the Confederate Cemetery, Camp Chase, at Columbus, the Confederate Cemetery at Point Lookout, and the Confederate Cemetery at Rock Island; and for care and maintenance of graves used by the Army for burials in commercial cemeteries, \$1,449,960, and in addition, \$136,254 of the appropriation, "Cemeterial Expenses, War Department, 1939", such amount of such appropriation being hereby reappropriated: *Provided*, That no railroad shall be permitted upon any right-of-way which may have been acquired by the United States leading to a national cemetery, or to encroach upon any roads or walks constructed thereon and maintained by the United States: *Provided further*, That no part of this appropriation shall be used for repairing any roadway not owned by the United States within the corporate limits of any city, town, or village.

The Secretary of War is authorized to convey to any State, county, municipality, or proper agency thereof, in which the same is located, all the right, title, and interest of the United States in and to any Government owned or controlled approach road to any national cemetery: *Provided*, That prior to the delivery of any instrument of conveyance hereunder, the State, county, municipality, or agency to which the conveyance herein authorized is to be made, shall notify the Secretary of War in writing of its willingness to accept and maintain the road included in such conveyance: *Provided further*, That upon the execution and delivery of any conveyance herein authorized, the jurisdiction of the United States of America over the road conveyed, shall cease and determine and shall thereafter vest in the State in which said road is located.

Maintenance, improvement, etc.

Vehicles.

Arlington National Cemetery, Va.

Plot in Congressional Cemetery, D. C.

Roadways; limitation.

Headstones.

17 Stat. 545; 20 Stat. 281; 34 Stat. 56; 38 Stat. 768; 45 Stat. 1307. 24 U. S. C. §§ 279, 280, 280a.

Recovery of bodies, etc.

45 Stat. 251. 10 U. S. C. § 916; Supp. IV, § 916.

Monuments, etc., in Cuba and China.

Confederate cemeteries, etc.

52 Stat. 667.

*Provisos*. Encroachments forbidden.

Roadway repairs, restriction.

Conveyance to State, etc., of U. S. interest in any approach road to national cemetery.

*Provisos*. Conditions.

Transfer of jurisdiction.

## SIGNAL CORPS

## ALASKA COMMUNICATION SYSTEM

Operation, improvement, etc.

*Proviso.*  
Report to Congress.

For operation, maintenance, and improvement of the Alaska Communication System, including travel allowances and travel in kind as authorized by law, and operation and maintenance of passenger-carrying vehicles, \$200,000, to be derived from the receipts of the Alaska Communication System which have been covered into the Treasury of the United States, and to remain available until the close of the fiscal year 1941: *Provided*, That the Secretary of War shall report to Congress the extent and cost of any extensions and betterments which may be effected under this appropriation.

## BUREAU OF INSULAR AFFAIRS

## UNITED STATES HIGH COMMISSIONER TO THE PHILIPPINE ISLANDS

United States High Commissioner's office.

48 Stat. 461.  
48 U. S. C. § 1237 (4).  
Salaries and expenses.

Traveling expenses, etc.

Vehicles.

Household expenses.  
*Provisos.*  
Legal adviser and financial expert.

Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.

For the maintenance of the office of the United States High Commissioner to the Philippine Islands as authorized by subsection 4 of section 7 of the Act approved March 24, 1934 (48 Stat. 456), including salaries and wages; rental, furnishings, equipment, maintenance, renovation, and repair of office quarters and living quarters for the High Commissioner; supplies and equipment; purchase and exchange of lawbooks and books of reference, periodicals, and newspapers; traveling expenses, including for persons appointed hereunder within the United States and their families, actual expenses of travel and transportation of household effects from their homes in the United States to the Philippine Islands, and return, utilizing Government vessels whenever practicable; operation, maintenance, and repair of motor vehicles, and all other necessary expenses, \$163,130, of which amount not exceeding \$10,000 shall be available for expenditure in the discretion of the High Commissioner for maintenance of his household and such other purposes as he may deem proper: *Provided*, That the salary of the legal adviser and the financial expert shall not exceed the annual rate of \$10,000 and \$9,000 each, respectively: *Provided further*, That section 3709 of the Revised Statutes (41 U. S. C. 5), shall not apply to any purchase or service rendered under this appropriation when the aggregate amount involved does not exceed the sum of \$100.

## CORPS OF ENGINEERS

Availability.

To be immediately available and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, and to remain available until expended:

## RIVERS AND HARBORS

Maintenance of existing works.

Survey of boundary, etc., waters.

New York harbor.

California Débris Commission.  
27 Stat. 507.  
33 U. S. C. §§ 661, 678, 683; Supp. IV, § 683.  
Removal of navigation obstructions.

For the preservation and maintenance of existing river and harbor works, and for the prosecution of such projects heretofore authorized as may be most desirable in the interests of commerce and navigation; for survey of northern and northwestern lakes and other boundary and connecting waters as heretofore authorized, including the preparation, correction, printing, and issuing of charts and bulletins and the investigation of lake levels; for prevention of obstructive and injurious deposits within the harbor and adjacent waters of New York City; for expenses of the California Débris Commission in carrying on the work authorized by the Act approved March 1, 1893, as amended (33 U. S. C. 661, 678, and 683); for removing sunken vessels or craft obstructing or endangering navigation as authorized by law; for operating and maintaining, keeping in repair, and continuing in use without interruption any lock, canal (except the Panama Canal),

canalized river, or other public works for the use and benefit of navigation belonging to the United States, including maintenance of the Hennepin Canal in Illinois; for payment annually of tuition fees of not to exceed fifty student officers of the Corps of Engineers at civil technical institutions under the provisions of section 127a of the National Defense Act, as amended (10 U. S. C. 535); for examinations, surveys, and contingencies of rivers and harbors; for printing and binding, newspapers, lawbooks, books of reference, periodicals, and office supplies and equipment required in the Office of the Chief of Engineers to carry out the purposes of this appropriation, including such printing as may be authorized by the Committee on Printing of the House of Representatives, either during a recess or session of Congress, of surveys authorized by law, and such surveys as may be printed during a recess of Congress shall be printed, with illustrations, as documents of the next succeeding session of Congress, and for the purchase (not to exceed \$220,708) of motor-propelled passenger-carrying vehicles and motorboats, for official use: *Provided*, That no part of this appropriation shall be expended for any preliminary examination, survey, project, or estimate not authorized by law, \$96,000,000: *Provided*, That from this appropriation the Secretary of War may, in his discretion and on the recommendation of the Chief of Engineers based on the recommendation by the Board of Rivers and Harbors in the review of a report or reports authorized by law, expend such sums as may be necessary for the maintenance of harbor channels provided by a State, municipality, or other public agency, outside of harbor lines and serving essential needs of general commerce and navigation, such work to be subject to the conditions recommended by the Chief of Engineers in his report or reports thereon: *Provided further*, That no appropriation under the Corps of Engineers for the fiscal year 1940 shall be available for any expenses incident to operating any power-driven boat or vessel on other than Government business: *Provided further*, That not to exceed \$3,000 of the amount herein appropriated shall be available for the support and maintenance of the Permanent International Commission of the Congresses of Navigation and for the payment of the actual expenses of the properly accredited delegates of the United States to the meeting of the congresses and of the commission.

#### FLOOD CONTROL

Flood control, general: For the construction and maintenance of certain public works on rivers and harbors for flood control, and for other purposes, in accordance with the provisions of the Flood Control Act, approved June 22, 1936, as amended and supplemented, including printing and binding, newspapers, law books, books of reference, periodicals, and office supplies and equipment required in the Office of the Chief of Engineers to carry out the purposes of this appropriation, the purchase (not to exceed \$149,500) of motor-propelled passenger-carrying vehicles and motorboats for official use, and for preliminary examinations and surveys of flood-control projects authorized by law, \$133,000,000: *Provided*, That \$3,000,000 of this appropriation shall be transferred and made available to the Secretary of Agriculture for preliminary examinations and surveys, as authorized by law, for run-off and water-flow retardation and soil-erosion prevention on the watersheds of flood-control projects, including the employment of persons in the District of Columbia and elsewhere, purchase of books and periodicals, printing and binding, rent in the District of Columbia, the purchase (not to exceed \$75,000) of motor-propelled passenger-carrying vehicles and motorboats, and for other necessary expenses: *Provided further*, That funds appropriated herein may be used for flood control work on the Salmon River,

Student officers at civil technical institutions.

41 Stat. 785.  
10 U. S. C. § 535.  
Surveys, etc.  
Printing and binding.

Vehicles, etc.

*Provisos.*  
Unauthorized surveys, etc., forbidden.

Maintenance of harbor channels outside harbor lines.

Power-driven boats, restriction on use.

Permanent International Commission of the Congresses of Navigation.

Public works on rivers and harbors.  
*Post*, p. 1328.

49 Stat. 1570.  
33 U. S. C., Supp. IV, ch. 15.  
Printing and binding.

Vehicles.

Preliminary examinations, etc.  
*Provisos.*  
Run-off and water-flow retardation, etc., surveys.

Personal services.

Salmon River, Alaska.

Use of funds for designated surveys, etc.

52 Stat. 1216.  
33 U. S. C., Supp. IV, § 701f (note).  
Expenditure not to be construed as commitment to construction of any project.  
Memphis, Tenn., project modified.  
50 Stat. 881.

Bayou Bodcau and Cypress Bayou, La., reservoir, etc., construction.  
52 Stat. 1220.

Mississippi River and tributaries.

45 Stat. 534; 49 Stat. 1508.  
33 U. S. C. § 702a; Supp. IV, § 702a-1.

Emergency fund, tributaries of Mississippi River.

49 Stat. 1511.  
33 U. S. C., Supp. IV, 702g-1.

Fort Peck Dam, Mont.

52 Stat. 403.

Bonneville Dam, Oreg.

49 Stat. 1038; 50 Stat. 731.  
16 U. S. C., Supp. IV, ch. 12B.

Maintenance, etc.

All expenses.

Objects specified.

Printing and binding.

Alaska, as authorized by law: *Provided further*, That funds appropriated herein may be used to execute detailed surveys, prepare plans and specifications, and to procure options on land and property necessary for the construction of authorized flood-control projects or for flood-control projects considered for selection in accordance with the provisions of section 4 of the Flood Control Act approved June 28, 1938: *Provided further*, That the expenditure of funds for completing the necessary surveys and securing options shall not be construed as a commitment of the Government to the construction of any project: *Provided further*, That the conditions of local cooperation for the Memphis, Tennessee, flood-control project, authorized by the Flood Control Act approved August 28, 1937, shall be so modified (without increasing the total estimated construction cost of the project) that the cost of providing pumping stations and outlet works for interior drainage shall be borne by the United States, all in accordance with plans to be approved by the Chief of Engineers: *And provided further*, That the reservoir and other flood-control works on Bayou Bodcau and Cypress Bayou, Louisiana, authorized by the Flood Control Act approved June 28, 1938, shall be constructed in accordance with the revised plans and cost estimates now in the Office, Chief of Engineers.

Flood control, Mississippi River and tributaries: For prosecuting work of flood control in accordance with the provisions of the Flood Control Act approved May 15, 1928, as amended (33 U. S. C. 702a), including printing and binding, newspapers, law books, books of reference, periodicals, and office supplies and equipment required in the office of the Chief of Engineers to carry out the purposes of this appropriation, and for the purchase (not to exceed \$51,400) of motor-propelled passenger-carrying vehicles and motorboats for official use, \$39,000,000.

Emergency fund for flood control on tributaries of Mississippi River: For rescue work and for repair or maintenance of any flood-control work on any tributaries of the Mississippi River threatened or destroyed by flood, in accordance with section 9 of the Flood Control Act, approved June 15, 1936 (49 Stat. 1508), \$800,000.

#### HYDROELECTRIC POWER

Power plant, Fort Peck Dam, Montana: For continuing the construction of the hydroelectric power plant at Fort Peck Dam, Montana, as authorized by the Act approved May 18, 1938 (52 Stat. 403), \$2,000,000.

Power plant, Bonneville Dam, Columbia River, Oregon: For continuing the construction of the hydroelectric power plant at Bonneville Dam, Columbia River, Oregon, as authorized by the Acts approved August 30, 1935 (49 Stat. 1038), and August 20, 1937 (50 Stat. 731), \$7,000,000.

#### UNITED STATES SOLDIERS' HOME

For maintenance and operation of the United States Soldiers' Home, to be paid from the Soldiers' Home Permanent Fund, \$800,500.

#### THE PANAMA CANAL

For every expenditure requisite for and incident to the maintenance and operation, sanitation, and civil government of the Panama Canal and Canal Zone, including the following: Compensation of all officials and employees; foreign and domestic newspapers and periodicals; law books not exceeding \$1,000; textbooks and books of reference; printing and binding, including printing of annual report; rent and personal services in the District of Columbia; purchase or

exchange of typewriting, adding, and other machines; purchase or exchange, maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles; claims for damages to vessels passing through the locks of the Panama Canal, as authorized by the Panama Canal Act; claims for losses of or damages to property arising from the conduct of authorized business operations; claims for damages to property arising from the maintenance and operation, sanitation, and civil government of the Panama Canal; acquisition of land and land under water, as authorized in the Panama Canal Act; expenses incurred in assembling, assorting, storing, repairing, and selling material, machinery, and equipment heretofore or hereafter purchased or acquired for the construction of the Panama Canal which are unserviceable or no longer needed, to be reimbursed from the proceeds of such sale; expenses incident to conducting hearings and examining estimates for appropriations on the Isthmus; expenses incident to any emergency arising because of calamity by flood, fire, pestilence, or like character not foreseen or otherwise provided for herein; traveling expenses, when prescribed by the Governor of the Panama Canal to persons engaged in field work or traveling on official business; not to exceed \$2,000 for travel and subsistence expenses of members of the police and fire forces of the Panama Canal incident to their special training in the United States; transportation, including insurance, of public funds and securities between the United States and the Canal Zone; purchase, construction, repair, replacement, alteration, or enlargement of buildings, structures, equipment, and other improvements; and for such other expenses not in the United States as the Governor of the Panama Canal may deem necessary best to promote the maintenance and operation, sanitation, and civil government of the Panama Canal, all to be expended under the direction of the Governor of the Panama Canal and accounted for as follows:

For maintenance and operation of the Panama Canal: Salary of the Governor, \$10,000; contingencies of the Governor, to be expended in his discretion, not exceeding \$3,000; purchase, inspection, delivery, handling, and storing of materials, supplies, and equipment for issue to all departments of the Panama Canal, the Panama Railroad, other branches of the United States Government, and for authorized sales; payment in lump sums of not exceeding the amounts authorized by the Injury Compensation Act approved September 7, 1916 (5 U. S. C. 793), to alien cripples who are now a charge upon the Panama Canal by reason of injuries sustained while employed in the construction of the Panama Canal; and relief payments authorized by the Act approved July 8, 1937 (50 Stat. 478); in all, \$22,632,087 together with all moneys arising from the conduct of business operations authorized by the Panama Canal Act. Of such sum of \$22,632,087, \$14,200,000 shall be immediately available; and in addition the Governor of the Panama Canal, when authorized by the Secretary of War, may enter into contracts prior to July 1, 1940, for the same objects embraced by such appropriation to an amount not in excess of \$2,300,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof.

For sanitation, quarantine, hospitals, and medical aid and support of the insane and of lepers and aid and support of indigent persons legally within the Canal Zone, including expenses of their deportation when practicable, the purchase of artificial limbs or other appliances for persons who were injured in the service of the Isthmian Canal Commission or the Panama Canal prior to September 7, 1916, additional compensation to any officer of the United States Public Health Service detailed with the Panama Canal as chief quarantine

Vehicles.  
Damage claims.

Emergencies.

Public funds and securities, transportation and insurance.

Maintenance and operation.  
Governor's salary.

Supplies, equipment, etc.

Payment to alien cripples.  
39 Stat. 750.  
5 U. S. C. § 793.

Relief payments.  
50 Stat. 478.  
48 U. S. C., Supp. IV, § 1372.

Contracts authorized.

Sanitation, etc.  
Support of insane and lepers, etc.  
Deportation expenses.

Chief quarantine officer.

Payment for furnishing of blood for transfusion.

*Provido.*  
Validation of expenditures heretofore made.

Civil government, Panama Canal and Canal Zone.

Availability.  
Additional sums.

Disposition of net profits.

Waterworks, sewers, and pavements, Panama and Colon.

Short title.

officer, and payments of not to exceed \$50 in any one case to persons within the Government service who shall furnish blood from their veins for transfusion to the veins of patients in Panama Canal hospitals: *Provided*, That expenditures heretofore made to any person within the Government service for blood furnished to patients in Panama Canal hospitals are hereby validated; \$962,035.

For civil government of the Panama Canal and Canal Zone, including gratuities and necessary clothing for indigent discharged prisoners, \$1,180,802.

Total, Panama Canal, \$24,774,924, to be available until expended.

In addition to the foregoing sums there is appropriated for the fiscal year 1940 for expenditures and reinvestment under the several heads of appropriation aforesaid, without being covered into the Treasury of the United States, and to remain available until expended, all moneys received by the Panama Canal during the fiscal year 1940 and prior fiscal years (exclusive of net profits for such prior fiscal years) from services rendered or materials and supplies furnished to the United States, the Panama Railroad Company, the Canal Zone government, or to their employees, respectively, or to the Panama Government, from hotel and hospital supplies and services; from rentals, wharfage, and like service; from labor, materials, and supplies and other services furnished to vessels other than those passing through the Canal, and to others unable to obtain the same elsewhere; from the sale of scrap and other byproducts of manufacturing and shop operations; from the sale of obsolete and unserviceable materials, supplies, and equipment purchased or acquired for the operation, maintenance, protection, sanitation, and government of the Canal and Canal Zone; and any net profits accruing from such business to the Panama Canal shall annually be covered into the Treasury of the United States.

There is also appropriated for the fiscal year 1940 for the operation, maintenance, and extension of waterworks, sewers, and pavements in the cities of Panama and Colon, to remain available until expended, the necessary portions of such sums as shall be paid during that fiscal year as water rentals or directly by the Government of Panama for such expenses.

SEC. 2. This Act may be cited as the "War Department Civil Appropriation Act, 1940".

Approved, June 28, 1939.

#### [CHAPTER 247]

#### AN ACT

To provide revenue, equalize taxation, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That this Act may be cited as the "Revenue Act of 1939".

### TITLE I—EXCISE TAXES AND POSTAL RATES

#### SEC. 1. CONTINUATION OF EXCISE TAXES AND POSTAL RATES.

Sections 1700 (a) (1), 1801, 1802, 3403 (f) (1), 3452, 3460 (a), 3465, 3481 (b), and 3482 of the Internal Revenue Code are amended by striking out "1939" wherever appearing therein and inserting in lieu thereof "1941". Section 1001 (a), as amended, of the Revenue Act of 1932, and section 2, as amended, of the Act entitled "An Act to extend the gasoline tax for one year, to modify postage rates on mail matter, and for other purposes", approved June 16, 1933, are further amended by striking out "1939" wherever appearing therein and inserting in lieu thereof "1941".

Continuation until 1941.

*Ante*, pp. 189, 195, 196, 411, 420, 421, 422, 425.

I. R. C. §§ 1700 (a) (1), 1801, 1802, 3403 (f) (1), 3452, 3460 (a), 3465, 3481 (b), 3482.

50 Stat. 358.

39 U. S. C., Supp.

IV, § 280 (note).

48 Stat. 254.

June 29, 1939  
[H. R. 6851]  
[Public, No. 155]

Revenue Act of 1939.

## SEC. 2. SPORTING ARMS AND AMMUNITION TAX.

Section 3407 of the Internal Revenue Code (relating to the tax on firearms, shells, and cartridges) is amended by adding at the end thereof the following new paragraph:

"The provisions of section 3452 (relating to expiration of taxes) shall not apply to the tax imposed by this section."

Firearms, shells, and cartridges.  
*Ante*, p. 412.  
I. R. C. § 3407.

Expiration of taxes.  
*Ante*, p. 420.  
I. R. C. § 3452.

## SEC. 3. TOILET PREPARATIONS TAX AMENDMENTS.

(a) Section 3401 of the Internal Revenue Code (relating to the tax on toilet preparations) is amended by inserting at the end thereof the following new paragraphs:

"In the case of a sale by a manufacturer to a selling corporation of an article to which the tax under this section applies, the transaction shall be *prima facie* presumed to be otherwise than at arm's length if either the manufacturer or the selling corporation owns more than 75 per centum of the outstanding stock of the other, or if more than 75 per centum of the outstanding stock of both corporations is owned by the same persons in substantially the same proportions. Sales by a manufacturer to a selling corporation shall in all other cases be *prima facie* presumed to be at arm's length.

Toilet preparations.  
*Ante*, p. 410.  
I. R. C. § 3401.

Transactions otherwise than at arm's length.

Presumption of sales at arm's length.

"Notwithstanding section 3441 (a), in determining, for the purpose of this section, the price for which an article is sold, whether at arm's length or not, there shall be included any charge for coverings and containers of whatever nature, only if furnished by the actual manufacturer of the article, and any charge incident to placing the article in condition packed ready for shipment, only if performed by the actual manufacturer of the article, but there shall be excluded the amount of the tax imposed by this section, whether or not stated as a separate charge. Whether sold at arm's length or not, a transportation, delivery, insurance, or other charge, and the wholesaler's salesman's commissions and costs and expenses of advertising and selling (not required by the foregoing sentence to be included), shall be excluded from the price only if the amount thereof is established to the satisfaction of the Commissioner, in accordance with the regulations."

Charge for coverings and containers.  
*Ante*, p. 416.  
I. R. C. § 3441 (a).

Items excluded from price.

(b) The amendments made by subsection (a) shall be effective only with respect to sales made after the date of the enactment of this Act.

Effective date of amendments.

## TITLE II—INCOME TAX AMENDMENTS

## SEC. 201. CORPORATION TAX IN GENERAL.

Sections 13, 14, and 15 of the Internal Revenue Code are amended to read as follows:

*Ante*, pp. 7-9.  
I. R. C. §§ 13-15.

## "SEC. 13. TAX ON CORPORATIONS IN GENERAL.

"(a) DEFINITIONS.—For the purposes of this chapter—

"(1) ADJUSTED NET INCOME.—The term 'adjusted net income' means the net income minus the credit provided in section 26 (a), relating to interest on certain obligations of the United States and Government corporations.

Definitions.

"Adjusted net income."  
*Ante*, p. 18.  
I. R. C. § 26 (a).

"(2) NORMAL-TAX NET INCOME.—The term 'normal-tax net income' means the adjusted net income minus the credit for dividends received provided in section 26 (b).

"Normal-tax net income."  
*Ante*, p. 19.  
I. R. C. § 26 (b).

"(b) IMPOSITION OF TAX.—There shall be levied, collected, and paid for each taxable year upon the normal-tax net income of every corporation the normal-tax net income of which is more than \$25,000

Imposition of tax.



*Ante*, pp. 78, 71-75, 98, 99.  
I. R. C. § 231 (a),  
Supp. G, Supp. Q.

General rule.

Alternative tax; normal-tax net income in excess of \$25,000.

Exempt corporations.

*Ante*, p. 33.  
I. R. C. § 101.  
Personal holding companies.  
*Ante*, p. 104.  
I. R. C. § 500.  
Improper accumulation of surplus.  
*Ante*, p. 35.  
I. R. C. § 102.

Imposition of tax.

*Ante*, p. 863.

Normal-tax net incomes, not more than \$25,000.

Foreign corporations.

*Ante*, p. 78.  
I. R. C. § 231 (a).

Insurance companies.

*Ante*, pp. 71-75.  
I. R. C., Supp. G.  
Mutual investment companies.

*Ante*, pp. 98, 99.  
I. R. C., Supp. Q.

Exempt corporations.

*Ante*, p. 33.  
I. R. C. § 101.  
Personal holding companies.

*Ante*, p. 104.  
I. R. C. § 500.  
Improper accumulation of surplus.  
*Ante*, p. 35.  
I. R. C. § 102.

(except a corporation subject to the tax imposed by section 14, section 231 (a), Supplement G, or Supplement Q) whichever of the following taxes is the lesser:

"(1) GENERAL RULE.—A tax of 18 per centum of the normal-tax net income; or

"(2) ALTERNATIVE TAX (CORPORATIONS WITH NORMAL-TAX NET INCOME SLIGHTLY MORE THAN \$25,000).—A tax of \$3,525, plus 32 per centum of the amount of the normal-tax net income in excess of \$25,000.

"(c) EXEMPT CORPORATIONS.—

"For corporations exempt from taxation under this chapter, see section 101.

"(d) TAX ON PERSONAL HOLDING COMPANIES.—

"For surtax on personal holding companies, see section 500.

"(e) IMPROPER ACCUMULATION OF SURPLUS.—

"For surtax on corporations which accumulate surplus to avoid surtax on shareholders, see section 102.

#### "SEC. 14. TAX ON SPECIAL CLASSES OF CORPORATIONS.

"(a) IMPOSITION OF TAX.—There shall be levied, collected, and paid for each taxable year upon the normal-tax net income of the following corporations (in lieu of the tax imposed by section 13) the tax hereinafter in this section specified.

"(b) CORPORATIONS WITH NORMAL-TAX NET INCOMES OF NOT MORE THAN \$25,000.—If the normal-tax net income of the corporation is not more than \$25,000, and if the corporation does not come within one of the classes specified in subsection (c), (d), or (e) of this section, the tax shall be as follows:

"Upon normal-tax net incomes not in excess of \$5,000, 12½ per centum.

"\$625 upon normal-tax net incomes of \$5,000, and upon normal-tax net incomes in excess of \$5,000 and not in excess of \$20,000, 14 per centum in addition of such excess.

"\$2,725 upon normal-tax net incomes of \$20,000, and upon normal-tax net incomes in excess of \$20,000, 16 per centum in addition of such excess.

"(c) FOREIGN CORPORATIONS.—

"(1) In the case of a foreign corporation engaged in trade or business within the United States or having an office or place of business therein, the tax shall be an amount equal to 18 per centum of the normal-tax net income, regardless of the amount thereof.

"(2) In the case of a foreign corporation not engaged in trade or business within the United States and not having an office or place of business therein, the tax shall be as provided in section 231 (a).

"(d) INSURANCE COMPANIES.—In the case of insurance companies, the tax shall be as provided in Supplement G.

"(e) MUTUAL INVESTMENT COMPANIES.—In the case of mutual investment companies, as defined in Supplement Q, the tax shall be as provided in such Supplement.

"(f) EXEMPT CORPORATIONS.—

"For corporations exempt from taxation under this chapter, see section 101.

"(g) TAX ON PERSONAL HOLDING COMPANIES.—

"For surtax on personal holding companies, see section 500.

"(h) IMPROPER ACCUMULATION OF SURPLUS.—

"For surtax on corporations which accumulate surplus to avoid surtax on shareholders, see section 102."

**SEC. 202. TAX ON BANKS AND TRUST COMPANIES.**

Section 104 (b) of the Internal Revenue Code (relating to the tax on banks) is amended to read as follows:

Banks and trust companies.  
*Ante*, p. 36.  
I. R. C. § 104 (b).  
Rate of tax.  
*Ante*, pp. 863, 864.  
I. R. C. §§ 13, 14 (b).

"(b) **RATE OF TAX.**—Banks shall be subject to tax under section 13 or section 14 (b)."

**SEC. 203. TAX ON LIFE INSURANCE COMPANIES.**

Section 201 (b) of the Internal Revenue Code (relating to the tax on life insurance companies) is amended to read as follows:

Life insurance companies.  
*Ante*, p. 71.  
I. R. C. § 201 (b).  
Imposition of tax.  
In general.  
*Ante*, pp. 863, 864.  
I. R. C. §§ 13, 14.

"(b) **IMPOSITION OF TAX.**—

"(1) **IN GENERAL.**—In lieu of the tax imposed by sections 13 and 14, there shall be levied, collected, and paid for each taxable year upon the normal-tax net income of every life insurance company a tax at the rates provided in section 13 or section 14 (b).

"(2) **NORMAL-TAX NET INCOME OF FOREIGN LIFE INSURANCE COMPANIES.**—In the case of a foreign life insurance company, the normal-tax net income shall be an amount which bears the same ratio to the normal-tax net income, computed without regard to this paragraph, as the reserve funds required by law and held by it at the end of the taxable year upon business transacted within the United States bear to the reserve funds held by it at the end of the taxable year upon all business transacted.

Normal-tax net income of foreign companies.

"(3) **NO UNITED STATES INSURANCE BUSINESS.**—Foreign life insurance companies not carrying on an insurance business within the United States and holding no reserve funds upon business transacted within the United States, shall not be taxable under this section but shall be taxable as other foreign corporations."

No United States business.

**SEC. 204. TAX ON INSURANCE COMPANIES OTHER THAN LIFE OR MUTUAL.**

Section 204 (a) of the Internal Revenue Code (relating to the tax on insurance companies other than life or mutual) is amended to read as follows:

Insurance companies other than life or mutual.  
*Ante*, p. 72.  
I. R. C. § 204 (a).  
Imposition of tax.  
In general.  
*Ante*, pp. 863, 864.  
I. R. C. §§ 13, 14.

"(a) **IMPOSITION OF TAX.**—

"(1) **IN GENERAL.**—In lieu of the tax imposed by sections 13 and 14, there shall be levied, collected, and paid for each taxable year upon the normal-tax net income of every insurance company (other than a life or mutual insurance company) a tax at the rates provided in section 13 or section 14 (b).

"(2) **NORMAL-TAX NET INCOME OF FOREIGN COMPANIES.**—In the case of a foreign insurance company (other than a life or mutual insurance company), the normal-tax net income shall be the net income from sources within the United States minus the sum of—

Normal-tax net income of foreign companies.

"(A) **INTEREST ON OBLIGATIONS OF THE UNITED STATES AND ITS INSTRUMENTALITIES.**—The credit provided in section 26 (a).

Interest on obligations of United States and its instrumentalities.

"(B) **DIVIDENDS RECEIVED.**—The credit provided in section 26 (b).

*Ante*, p. 18.  
I. R. C. § 26 (a).  
Dividends received.  
*Ante*, p. 19.  
I. R. C. § 26 (b).  
No United States insurance business.

"(3) **NO UNITED STATES INSURANCE BUSINESS.**—Foreign insurance companies not carrying on an insurance business within the United States shall not be taxable under this section but shall be taxable as other foreign corporations."

**SEC. 205. TAX ON MUTUAL INSURANCE COMPANIES OTHER THAN LIFE.**

Section 207 (a) of the Internal Revenue Code (relating to the tax on mutual insurance companies other than life) is amended to read as follows:

Mutual companies other than life.  
*Ante*, p. 74.  
I. R. C. § 207 (a).  
Imposition of tax.  
In general.

"(a) **IMPOSITION OF TAX.**—

"(1) **IN GENERAL.**—There shall be levied, collected, and paid for each taxable year upon the normal-tax net income of every

*Ante*, pp. 863, 864.  
I. R. C. §§ 13, 14 (b).

Foreign corporations.

mutual insurance company (other than a life insurance company) a tax at the rates provided in section 13 or section 14 (b).

"(2) **FOREIGN CORPORATIONS.**—The tax imposed by paragraph (1) shall apply to foreign corporations as well as domestic corporations; but foreign insurance companies not carrying on an insurance business within the United States shall be taxable as other foreign corporations."

#### SEC. 206. TAX ON RESIDENT FOREIGN CORPORATIONS.

Resident foreign corporations.  
*Ante*, p. 78.  
I. R. C. § 231 (b).

Section 231 (b) of the Internal Revenue Code (relating to the tax on resident foreign corporations) is amended to read as follows:

"(b) **RESIDENT CORPORATIONS.**—A foreign corporation engaged in trade or business within the United States or having an office or place of business therein shall be taxable as provided in section 14 (c) (1)."

*Ante*, p. 864.  
I. R. C. § 14 (c) (1).

#### SEC. 207. TAX ON CORPORATIONS ENTITLED TO THE BENEFITS OF SECTION 251.

Income from sources within a United States possession.  
*Ante*, p. 80.  
I. R. C. § 251 (c) (1).  
Corporation tax.  
*Ante*, pp. 863, 864.  
I. R. C. §§ 13, 14 (b).

Section 251 (c) (1) of the Internal Revenue Code (relating to tax on corporations deriving a large part of their income from sources within a possession) is amended to read as follows:

"(1) **CORPORATION TAX.**—A domestic corporation entitled to the benefits of this section shall be subject to tax under section 13 or section 14 (b)."

#### SEC. 208. TAX ON CHINA TRADE ACT CORPORATIONS.

China Trade Act corporations.  
*Ante*, p. 81.  
I. R. C. § 261 (a).  
Corporation tax.  
42 Stat. 849.  
15 U. S. C. ch. 4.  
*Ante*, pp. 863, 864.  
I. R. C. §§ 13, 14 (b).

Section 261 (a) of the Internal Revenue Code (relating to the tax on China Trade Act corporations) is amended to read as follows:

"(a) **CORPORATION TAX.**—A corporation organized under the China Trade Act, 1922, 42 Stat. 849 (U. S. C., 1934 ed., title 15, chap. 4), shall be subject to tax under section 13 or section 14 (b)."

#### SEC. 209. TAX ON MUTUAL INVESTMENT COMPANIES.

Mutual investment companies.  
*Ante*, p. 99.  
I. R. C. § 362 (b).  
Imposition of tax.

Section 362 (b) of the Internal Revenue Code (relating to the tax on mutual investment companies) is amended to read as follows:

"(b) **IMPOSITION OF TAX.**—There shall be levied, collected, and paid for each taxable year upon the Supplement Q net income of every mutual investment company a tax equal to 18 per centum of the amount thereof."

#### SEC. 210. TECHNICAL AMENDMENTS MADE NECESSARY BY CHANGE IN CORPORATION TAX.

Technical amendments.  
*Ante*, p. 9.  
I. R. C. § 21 (b).  
Cross references.  
*Ante*, p. 863.  
I. R. C. § 13.  
Bankruptcy or receivership.  
*Ante*, p. 59.  
I. R. C. § 141 (j).

(a) Section 21 (b) of the Internal Revenue Code is amended to read as follows:

"(b) **CROSS REFERENCES.**—For definition of 'adjusted net income' and 'normal-tax net income', see section 13."

China Trade Act corporations, additional credits.  
*Ante*, p. 81.  
I. R. C. § 262.  
*Ante*, pp. 863, 864, 111.  
I. R. C. §§ 13, 14, 600.

(b) Section 141 (j) of the Internal Revenue Code (relating to affiliated corporations in bankruptcy or receivership) shall not apply with respect to a taxable year beginning after December 31, 1939.

(c) Section 262 of the Internal Revenue Code (relating to additional credits of China Trade Act corporations) is amended by striking out "sections 14 and 600" and inserting in lieu thereof "sections 13, 14, and 600"; and by striking out "section 14" wherever it appears and inserting in lieu thereof "section 13 or 14".

**SEC. 211. NET OPERATING LOSSES.**

(a) Section 23 of the Internal Revenue Code (relating to deductions from gross income) is amended by inserting at the end thereof the following:

Deductions from gross income.  
*Ante*, p. 12.  
I. R. C. § 23.

“(s) **NET OPERATING LOSS DEDUCTION.**—For any taxable year beginning after December 31, 1939, the net operating loss deduction computed under section 122.”

Net operating loss deduction.

(b) The Internal Revenue Code is amended by inserting after section 121 the following new section:

*Ante*, p. 56.

**“SEC. 122. NET OPERATING LOSS DEDUCTION.**

“(a) **DEFINITION OF NET OPERATING LOSS.**—As used in this section, the term ‘net operating loss’ means the excess of the deductions allowed by this chapter over the gross income, with the exceptions and limitations provided in subsection (d).

“Net operating loss” defined.

“(b) **AMOUNT OF CARRY-OVER.**—The term ‘net operating loss carry-over’ means in the case of any taxable year the sum of:

Amount of carry-over.

“(1) The amount, if any, of the net operating loss for the first preceding taxable year; and

“(2) The amount of the net operating loss, if any, for the second preceding taxable year reduced by the excess, if any, of the net income (computed with the exceptions and limitations provided in subsection (d) (1), (2), (3), and (4)) for the first preceding taxable year over the net operating loss for the third preceding taxable year.

“(c) **AMOUNT OF NET OPERATING LOSS DEDUCTION.**—The amount of the net operating loss deduction shall be the amount of the net operating loss carry-over reduced by the amount, if any, by which the net income (computed with the exceptions and limitations provided in subsection (d) (1), (2), (3), and (4)) exceeds, in the case of a taxpayer other than a corporation, the net income (computed without such deduction), or, in the case of a corporation, the normal-tax net income (computed without such deduction);

Amount of net operating loss deduction.

“(d) **EXCEPTIONS AND LIMITATIONS.**—The exceptions and limitations referred to in subsections (a), (b), and (c) shall be as follows:

Exceptions and limitations.

“(1) The deduction for depletion shall not exceed the amount which would be allowable if computed without reference to discovery value or to percentage depletion under section 114 (b) (2), (3), or (4);

Depletion.

“(2) There shall be included in computing gross income the amount of interest received which is wholly exempt from the taxes imposed by this chapter, decreased by the amount of interest paid or accrued which is not allowed as a deduction by section 23 (b), relating to interest on indebtedness incurred or continued to purchase or carry certain tax-exempt obligations;

*Ante*, p. 45.  
I. R. C. § 114 (b) (2), (3), (4).

Interest.

“(3) No net operating loss deduction shall be allowed;

*Ante*, p. 12.  
I. R. C. § 23 (b).

“(4) Long-term capital gains and long-term capital losses shall be taken into account without regard to the provisions of section 117 (b). As so computed the amount deductible on account of long-term capital losses shall not exceed the amount includible on account of the long-term capital gains, and the amount deductible on account of short-term capital losses shall not exceed the amount includible on account of the short-term capital gains;

No net operating loss deduction allowed.  
Long-term capital gains and losses.  
*Ante*, p. 51.  
I. R. C. § 117 (b).

"(5) Deductions otherwise allowed by law not attributable to the operation of a trade or business regularly carried on by the taxpayer shall (in the case of a taxpayer other than a corporation) be allowed only to the extent of the amount of the gross income not derived from such trade or business. For the purposes of this paragraph deductions and gross income shall be computed with the exceptions and limitations specified in paragraphs (1) to (4) of this subsection.

No carry-over from year prior to 1939.

"(e) NO CARRY-OVER FROM YEAR PRIOR TO 1939.—As used in this section, the terms 'third preceding taxable year', 'second preceding taxable year', and 'first preceding taxable year' do not include any taxable year beginning prior to January 1, 1939."

Estates, trusts, and participants in common trust funds.  
*Ante*, p. 68.

(c) ALLOWANCE OF DEDUCTION TO ESTATES, TRUSTS, AND PARTICIPANTS IN COMMON TRUST FUNDS.—The Internal Revenue Code is amended by inserting after the section 169 the following new section:

**"SEC. 170. NET OPERATING LOSSES.**

Allowance of deduction for net operating losses.  
*Ante*, p. 867.

"The benefit of the deduction for net operating losses allowed by section 23 (s) shall be allowed to estates and trusts under regulations prescribed by the Commissioner with the approval of the Secretary. The benefit of such deduction shall not be allowed to a common trust fund, but shall be allowed to the participants in the common trust fund under regulations prescribed by the Commissioner with the approval of the Secretary."

Partners.  
*Ante*, p. 71.

(d) ALLOWANCE OF DEDUCTION TO PARTNERS.—The Internal Revenue Code is amended by inserting after section 188 the following new section:

**"SEC. 189. NET OPERATING LOSSES.**

Net operating loss deduction.  
*Ante*, p. 867.

"The benefit of the deduction for net operating losses allowed by section 23 (s) shall not be allowed to a partnership but shall be allowed to the members of the partnership under regulations prescribed by the Commissioner with the approval of the Secretary."

Life insurance companies, deductions.  
*Ante*, p. 71.  
I. R. C. § 203 (a).

(e) ALLOWANCE OF DEDUCTION TO INSURANCE COMPANIES.—

(1) Section 203 (a) of the Internal Revenue Code (relating to deductions of life insurance companies) is amended by inserting at the end thereof the following new paragraph:

*Ante*, p. 867.

"(8) The amount of the net operating loss deduction provided in section 23 (s)."

*Ante*, p. 74.  
I. R. C. § 207.

(2) The Internal Revenue Code is amended by inserting after section 207 the following:

**"SEC. 208. NET OPERATING LOSSES.**

Insurance companies, net operating losses.  
*Ante*, p. 867.

"The benefit of the deduction for net operating losses allowed by section 23 (s) shall be allowed to insurance companies subject to the taxes imposed in this supplement under regulations prescribed by the Commissioner with the approval of the Secretary."

Section 102 net income, definition modified.  
*Ante*, p. 35.  
I. R. C. § 102 (d).

(f) DENIAL OF DEDUCTION TO SECTION 102 CORPORATIONS.—Section 102 (d) (1) of the Internal Revenue Code (relating to the definition of section 102 net income) is amended by striking out "The term 'section 102 net income' means the net income minus the sum of" and inserting in lieu thereof "The term 'section 102 net income' means the net income, computed without the net operating loss deduction provided in section 23 (s), minus the sum of".

*Ante*, p. 867.

(g) **DENIAL OF DEDUCTION TO FOREIGN PERSONAL HOLDING COMPANIES.**—Section 336 (b) of the Internal Revenue Code (relating to disallowed deductions in computing net income of foreign personal holding companies) is amended by inserting at the end thereof the following:

Foreign personal holding companies, disallowed deductions.  
*Ante*, p. 96.  
I. R. C. § 336 (b).

“(3) **NET LOSS CARRY-OVER DISALLOWED.**—The deduction for net operating losses provided in section 23 (s) shall not be allowed.”

*Ante*, p. 867.

(h) **DENIAL OF DEDUCTION TO MUTUAL INVESTMENT COMPANIES.**—Section 362 (a) of the Internal Revenue Code (relating to definition of Supplement Q net income) is amended to read as follows:

Mutual investment companies, disallowed deductions.  
*Ante*, p. 99.  
I. R. C. § 362 (a).  
“Supplement Q net income”, defined.

“(a) **SUPPLEMENT Q NET INCOME.**—For the purposes of this chapter the term ‘Supplement Q net income’ means the adjusted net income, computed without the net operating loss deduction provided in section 23 (s), minus the basic surtax credit computed under section 27 (b) without the application of paragraphs (2) and (3).”

*Ante*, p. 867.

*Ante*, p. 20.

I. R. C. § 27 (b).

(i) **DENIAL OF DEDUCTION TO DOMESTIC PERSONAL HOLDING COMPANIES.**—Section 505 of the Internal Revenue Code (relating to definition of subchapter A net income) is amended by inserting at the end thereof the following:

Subchapter A net income.  
*Ante*, p. 108.  
I. R. C. § 505.

“(c) **NET LOSS CARRY-OVER DISALLOWED.**—The deduction for net operating losses provided in section 23 (s) shall not be allowed.”

Disallowed deductions.  
*Ante*, p. 867.

(j) **TECHNICAL AMENDMENT.**—Section 26 (c) (2) of the Internal Revenue Code (relating to operating loss credit) is amended by striking out “chapter” and inserting in lieu thereof “section”.

Operating loss credit, technical amendment.  
*Ante*, p. 19.  
I. R. C. § 26 (c) (2).

## SEC. 212. CORPORATION CAPITAL LOSSES.

(a) **LIMITATIONS.**—Section 117 (d) of the Internal Revenue Code (relating to limitation on capital losses) is amended to read as follows:

Corporation capital losses.  
*Ante*, p. 52.  
I. R. C. § 117 (d).

“(d) **LIMITATION ON CAPITAL LOSSES.**—Long-term capital losses shall be allowed, but short-term capital losses shall be allowed only to the extent of short-term capital gains.”

Limitation on capital losses.

(b) **NET SHORT-TERM LOSS CARRY-OVER.**—Section 117 (e) of the Internal Revenue Code (relating to the one-year carry-over of net short-term capital loss) is amended to read as follows:

Net short-term loss carry-over.  
*Ante*, p. 52.  
I. R. C. § 117 (e).

“(e) **NET SHORT-TERM CAPITAL LOSS CARRY-OVER.**—If any taxpayer sustains in any taxable year, beginning after December 31, 1937, in the case of a taxpayer other than a corporation, or beginning after December 31, 1939, in the case of a corporation, a net short-term capital loss, such loss (in an amount not in excess of the net income for such year) shall be treated in the succeeding taxable year as a short-term capital loss, except that it shall not be included in computing the net short-term capital loss for such year.”

Net short-term capital loss carry-over.

(c) **CAPITAL LOSSES OF FOREIGN PERSONAL HOLDING COMPANIES.**—Section 336 of the Internal Revenue Code (relating to definition of Supplement P net income) is amended by inserting at the end thereof the following new subsection:

Supplement P net income.  
*Ante*, p. 95.  
I. R. C. § 336.

“(c) **CAPITAL LOSSES.**—The net income shall be computed without regard to section 117 (d) and (e), and losses from sales or exchanges of capital assets shall be allowed only to the extent of \$2,000 plus the gains from such sales or exchanges.”

Capital losses.  
I. R. C. § 117 (d), (e).

(d) **CAPITAL LOSSES OF DOMESTIC PERSONAL HOLDING COMPANIES.**—Section 505 of the Internal Revenue Code (relating to definition of subchapter A net income) is amended by inserting at the end thereof the following new subsection:

Subchapter A net income.  
*Ante*, p. 108.  
I. R. C. § 505.

“(d) **CAPITAL LOSSES.**—The net income shall be computed without regard to section 117 (d) and (e), and losses from sales or exchanges of capital assets shall be allowed only to the extent of \$2,000 plus the gains from such sales or exchanges.”

Capital losses.  
*Ante*, p. 52.  
I. R. C. § 117 (d), (e).

## SEC. 213. ASSUMPTION OF INDEBTEDNESS.

Recognition of gain or loss.

*Ante*, p. 37.  
I. R. C. § 112.

Assumption of liability.

*Ante*, p. 37.

*Ante*, p. 39.

If purpose was to avoid Federal income tax.

Not a bona fide transaction.

Burden of proof.

Reorganization, amendment to definition.

*Ante*, p. 40.  
I. R. C. § 112 (g) (1).

Requirement of substantially proportionate interests.

*Ante*, p. 37.  
I. R. C. § 112 (b) (5).  
Where transferee assumes liability of transferor.

(a) **ASSUMPTION OF LIABILITY NOT RECOGNIZED.**—Section 112 of the Internal Revenue Code (relating to recognition of gain or loss) is amended by adding at the end thereof the following new subsection:

“(k) **ASSUMPTION OF LIABILITY NOT RECOGNIZED.**—Where upon an exchange the taxpayer receives as part of the consideration property which would be permitted by subsection (b) (4) or (5) of this section to be received without the recognition of gain if it were the sole consideration, and as part of the consideration another party to the exchange assumes a liability of the taxpayer or acquires from the taxpayer property subject to a liability, such assumption or acquisition shall not be considered as ‘other property or money’ received by the taxpayer within the meaning of subsection (c), (d), or (e) of this section and shall not prevent the exchange from being within the provisions of subsection (b) (4) or (5); except that if, taking into consideration the nature of the liability and the circumstances in the light of which the arrangement for the assumption or acquisition was made, it appears that the principal purpose of the taxpayer with respect to the assumption or acquisition was a purpose to avoid Federal income tax on the exchange, or, if not such purpose, was not a bona fide business purpose, such assumption or acquisition (in the amount of the liability) shall, for the purposes of this section, be considered as money received by the taxpayer upon the exchange. In any suit or proceeding where the burden is on the taxpayer to prove that such assumption or acquisition is not to be considered as money received by the taxpayer, such burden shall not be considered as sustained unless the taxpayer sustains such burden by the clear preponderance of the evidence.”

(b) **AMENDMENT TO DEFINITION OF REORGANIZATION.**—Section 112 (g) (1) of the Internal Revenue Code (relating to definition of reorganization) is amended to read as follows:

“(1) The term ‘reorganization’ means (A) a statutory merger or consolidation, or (B) the acquisition by one corporation, in exchange solely for all or a part of its voting stock, of at least 80 per centum of the voting stock and at least 80 per centum of the total number of shares of all other classes of stock of another corporation, or (C) the acquisition by one corporation, in exchange solely for all or a part of its voting stock, of substantially all the properties of another corporation, but in determining whether the exchange is solely for voting stock the assumption by the acquiring corporation of a liability of the other, or the fact that property acquired is subject to a liability, shall be disregarded, or (D) a transfer by a corporation of all or a part of its assets to another corporation if immediately after the transfer the transferor or its shareholders or both are in control of the corporation to which the assets are transferred, or (E) a recapitalization, or (F) a mere change in identity, form, or place of organization, however effected.”

(c) **REQUIREMENT OF SUBSTANTIALLY PROPORTIONATE INTERESTS.**—Section 112 (b) (5) of the Internal Revenue Code (relating to requirement of substantially proportionate interests) is amended by adding at the end thereof the following new sentence: “Where the transferee assumes a liability of a transferor, or where the property of a transferor is transferred subject to a liability, then for the purpose only of determining whether the amount of stock or securities received by each of the transferors is in the proportion required by this paragraph, the amount of such liability (if under subsection (k) it is not to be considered as ‘other property or money’) shall be considered as stock or securities received by such transferor.”

(d) **BASIS OF PROPERTY.**—Section 113 (a) (6) of the Internal Revenue Code (relating to basis of property) is amended by inserting before the last sentence thereof the following: "Where as part of the consideration to the taxpayer another party to the exchange assumed a liability of the taxpayer or acquired from the taxpayer property subject to a liability, such assumption or acquisition (in the amount of the liability) shall, for the purposes of this paragraph, be considered as money received by the taxpayer upon the exchange."

(e) **TAXABLE YEARS TO WHICH APPLICABLE.**—The amendments made by subsections (a), (b), (c), and (d) shall be applicable to taxable years beginning after December 31, 1938.

(f) **ASSUMPTION OF LIABILITY NOT RECOGNIZED UNDER PRIOR ACTS.**—

(1) Where upon an exchange occurring in a taxable year ending after December 31, 1923, and beginning before January 1, 1939, the taxpayer received as part of the consideration property which would be permitted by subsection (b) (4) or (5) of section 112 of the Revenue Act of 1938, or the corresponding provisions of the Revenue Act of 1924 or subsequent revenue Acts, to be received without the recognition of gain if it were the sole consideration, and as part of the consideration another party to the exchange assumed a liability of the taxpayer or acquired from the taxpayer property subject to a liability, such assumption or acquisition shall not be considered as "other property or money" received by the taxpayer within the meaning of subsection (c), (d), or (e) of section 112 of the Revenue Act of 1938, or the corresponding provisions of the Revenue Act of 1924 or subsequent revenue Acts, and shall not prevent the exchange from being within the provisions of subsection (b) (4) or (5) of section 112 of the Revenue Act of 1938, or the corresponding provisions of the Revenue Act of 1924 or subsequent revenue Acts; except that if, in the determination of the tax liability of such taxpayer for the taxable year in which the exchange occurred, by a decision of the Board of Tax Appeals or of a court which became final before the ninetieth day after the date of enactment of the Revenue Act of 1939, or by a closing agreement, gain was recognized to such taxpayer by reason of such assumption or acquisition of property, then for the purposes of section 112 of the Revenue Act of 1938, and corresponding provisions of the Revenue Act of 1924 or subsequent revenue Acts, such assumption or acquisition (in the amount of the liability considered in computing the gain) shall be considered as money received by the taxpayer upon the exchange.

(2) Paragraph (1) shall be effective with respect to the Revenue Act of 1924 and subsequent revenue Acts as of the date of enactment of each such Act.

(g) **DEFINITION OF REORGANIZATION UNDER PRIOR ACTS.**—

(1) Section 112 (g) (1) of the Revenue Acts of 1938, 1936, and 1934 are amended to read as follows:

"(1) The term 'reorganization' means (A) a statutory merger or consolidation, or (B) the acquisition by one corporation, in exchange solely for all or a part of its voting stock, of substantially all the properties of another corporation, but in determining whether the exchange is solely for voting stock the assumption by the acquiring corporation of a liability of the other, or the fact that property acquired is subject to a liability, shall be disregarded; or the acquisition by one corporation in exchange solely for all or a part of its voting stock of at least 80 per centum of the voting stock and at least 80 per centum of the total number of shares of all other classes of stock of another corporation, or (C) a transfer by a corporation of all or a part of its assets to another corporation if immediately after the transfer the transferor or its shareholders or both are in control of the

Basis of property.  
*Ante*, p. 41.  
I. R. C. § 113 (a) (6).  
Money received by taxpayer upon the exchange.

Taxable years to which applicable.

Assumption of liability not recognized under prior Acts.  
*Post*, p. 1402.

52 Stat. 485.

43 Stat. 256.  
*Ante*, pp. 37, 870.  
I. R. C. § 112 (b) (4) (5).

Acquisition not considered as "other property or money" received by taxpayer.  
52 Stat. 488, 489; 43 Stat. 257.

Exception.

52 Stat. 485.  
43 Stat. 256.  
*Ante*, pp. 37, 870.  
I. R. C. § 112.

Effective date of paragraph.

Definition of reorganization under prior Acts.  
52 Stat. 489; 49 Stat. 1681; 48 Stat. 705.



corporation to which the assets are transferred, or (D) a recapitalization, or (E) a mere change in identity, form, or place of organization, however effected."

Effective date.

(2) The amendments made by paragraph (1) to the respective Acts amended shall be effective as to each of such Acts as of the date of enactment of such Act.

Substantially proportionate interests under prior Acts.  
52 Stat. 485; 49 Stat. 1679; 48 Stat. 704; 47 Stat. 196; 45 Stat. 816; 44 Stat. 12; 43 Stat. 256.  
Assumption of transferor's liability by transferee; property transferred subject to a liability, etc.

(h) SUBSTANTIALLY PROPORTIONATE INTERESTS UNDER PRIOR ACTS.—

(1) Section 112 (b) (5) of the Revenue Acts of 1938, 1936, 1934, 1932, and 1928, and section 203 (b) (4) of the Revenue Acts of 1926 and 1924 are amended by inserting at the end thereof the following: "Where the transferee assumes a liability of a transferor, or where the property of a transferor is transferred subject to a liability, then for the purpose only of determining whether the amount of stock or securities received by each of the transferors is in the proportion required by this paragraph, the amount of such liability (if under section 213 of the Revenue Act of 1939 it is not considered as 'other property or money') shall be considered as stock or securities received by such transferor. If, as the result of a determination of the tax liability of the taxpayer for the taxable year in which the exchange occurred, by a decision of the Board of Tax Appeals or of a court which became final before the ninetieth day after the date of the enactment of the Revenue Act of 1939, or by a closing agreement, the treatment of the amount of such liability was different from the treatment which would result from the application of the preceding sentence, such sentence shall not apply and the result of such determination shall be deemed proper."

Effective date.

(2) The amendments made by paragraph (1) to the respective Acts amended shall be effective as to each of such Acts as of the date of enactment of such Act.

Basis under prior Acts.  
52 Stat. 491; 49 Stat. 1682; 48 Stat. 706; 47 Stat. 199; 45 Stat. 819; 44 Stat. 15; 43 Stat. 258.  
Where taxpayer's liability assumed by transferee, etc.

(i) BASIS UNDER PRIOR ACTS.—

(1) Section 113 (a) (6) of the Revenue Acts of 1938, 1936, 1934, 1932, and 1928, and section 204 (a) (6) of the Revenue Acts of 1926 and 1924 are amended by inserting before the last sentence thereof the following: "Where as part of the consideration to the taxpayer another party to the exchange assumed a liability of the taxpayer or acquired from the taxpayer property subject to a liability, such assumption or acquisition (in the amount of the liability) shall, for the purposes of this paragraph, be considered as money received by the taxpayer upon the exchange."

Effective date.

(2) The amendments made by paragraph (1) to the respective Acts amended shall be effective as to each of such Acts as of the date of enactment of such Act.

#### SEC. 214. BASIS OF STOCK DIVIDENDS AND STOCK RIGHTS.

Unadjusted basis of property.  
*Ante*, p. 40.  
I. R. C. § 113 (a).

(a) BASIS UNDER INTERNAL REVENUE CODE.—Section 113 (a) of the Internal Revenue Code (relating to the unadjusted basis of property) is amended by inserting at the end thereof the following new paragraph:

Allocations of stock.

"(19) (A) If the property was acquired by a shareholder in a corporation and consists of stock in such corporation, or rights to acquire such stock, acquired by him after February 28, 1913, in a distribution by such corporation (hereinafter in this paragraph called 'new stock'), or consists of stock in respect of which such distribution was made (hereinafter in this paragraph called 'old stock') and

"(i) the new stock was acquired in a taxable year beginning before January 1, 1936; or

"(ii) the new stock was acquired in a taxable year beginning after December 31, 1935, and its distribution did not

constitute income to the shareholder within the meaning of the Sixteenth Amendment to the Constitution; then the basis of the new stock and of the old stock, respectively, shall, in the shareholder's hands, be determined by allocating between the old stock and the new stock the adjusted basis of the old stock; such allocation to be made under regulations which shall be prescribed by the Commissioner with the approval of the Secretary.

"(B) Where the new stock consisted of rights to acquire stock and such rights were sold in a taxable year beginning before January 1, 1939, and there was included in the gross income for such year the entire amount of the proceeds of such sale, then, if before the date of the enactment of the Revenue Act of 1939 the taxpayer has not asserted (by claim for a refund or credit or otherwise) that any part of the proceeds of the sale of such new stock should be excluded from gross income for the year of its sale, the basis of the old stock shall be determined without regard to subparagraph (A); and no part of the proceeds of the sale of such new stock shall ever be excluded from the gross income of the year of such sale.

"(C) Subparagraph (A) shall not apply if the new stock was acquired in a taxable year beginning before January 1, 1936, and there was included, as a dividend, in gross income for such year an amount on account of such stock, and after such inclusion such amount was not (before the date of the enactment of the Revenue Act of 1939) excluded from gross income for such year.

"(D) Subparagraph (A) shall not apply if the new stock or the old stock was sold or otherwise disposed of in a taxable year beginning prior to January 1, 1936, and the basis (determined by a decision of a court or the Board of Tax Appeals, or a closing agreement, and the decision or agreement became final before the ninetieth day after the date of the enactment of the Revenue Act of 1939) for determining gain or loss on such sale or other disposition was ascertained by a method other than that of allocation of the basis of the old stock."

(b) DISTRIBUTIONS NOT TREATED AS DIVIDENDS.—Section 115 (d) of the Internal Revenue Code (relating to distributions applied in reduction of basis) is amended to read as follows:

"(d) OTHER DISTRIBUTIONS FROM CAPITAL.—If any distribution made by a corporation to its shareholders is not out of increase in value of property accrued before March 1, 1913, and is not a dividend, then the amount of such distribution shall be applied against and reduce the adjusted basis of the stock provided in section 113, and if in excess of such basis, such excess shall be taxable in the same manner as a gain from the sale or exchange of property. This subsection shall not apply to a distribution in partial or complete liquidation or to a distribution which, under subsection (f) (1), is not treated as a dividend, whether or not otherwise a dividend."

(c) DETERMINATION OF PERIOD FOR WHICH HELD.—Section 117 (h) of the Internal Revenue Code (relating to determination of period for which property is held) is amended by adding at the end thereof the following new paragraph:

"(5) In determining the period for which the taxpayer has held stock or rights to acquire stock received upon a distribution, if the basis of such stock or rights is determined under section 113 (a) (19) (A), there shall (under regulations prescribed by the Commissioner with the approval of the Secretary) be included the period for which he held the stock in the distributing corporation prior to the receipt of such stock or rights upon such distribution."

Basis.

Where proceeds of acquired stock, etc., were included in gross income before January 1, 1939.

Claim for refund, etc., not asserted.

Allocation inapplicable in certain cases.

Distributions not treated as dividends. *Ante*, p. 47. I. R. C. § 115 (d).

Other distributions from capital.

*Ante*, pp. 40, 871. I. R. C. § 113.

Distribution in liquidation, etc.

Determination of period for which held. *Ante*, p. 52. I. R. C. § 117 (h).

*Ante*, p. 872.

Taxable years to which applicable.

Basis under prior Acts.  
52 Stat. 447.

Determination of basis of new and of old stock.

Where entire proceeds of stock sale were included in gross income.

Claim for refund not asserted.

Allocation inapplicable in certain cases.

Determination under prior Acts of period for which held.

(d) **TAXABLE YEARS TO WHICH APPLICABLE.**—The amendments made by subsections (a), (b), and (c) shall be applicable to taxable years beginning after December 31, 1938.

(e) **BASIS UNDER PRIOR ACTS.**—The following rules shall be applied, for the purposes of the Revenue Act of 1938 or any prior revenue Act as if such rules were a part of each such Act when it was enacted, in determining the basis of property acquired by a shareholder in a corporation which consists of stock in such corporation, or rights to acquire such stock, acquired by him after February 28, 1913, in a distribution by such corporation (hereinafter in this subsection called "new stock"), or consisting of stock in respect of which such distribution was made (hereinafter in this subsection called "old stock") if the new stock was acquired in a taxable year beginning before January 1, 1936, or acquired in a taxable year beginning after December 31, 1935, and its distribution did not constitute income to the shareholder within the meaning of the Sixteenth Amendment to the Constitution:

(1) The basis of the new stock and of the old stock, respectively, shall, in the shareholder's hands, be determined by allocating between the old stock and the new stock the adjusted basis of the old stock; such allocation to be made under regulations which shall be prescribed by the Commissioner with the approval of the Secretary.

(2) Where the new stock consisted of rights to acquire stock and such rights were sold and there was included in the gross income for the taxable year of the sale the entire amount of the proceeds of such sale, then, if before the date of the enactment of this Act the taxpayer has not asserted (by claim for a refund or credit or otherwise) that any part of the proceeds of the sale of such new stock should be excluded from gross income for the year of its sale, the basis of the old stock shall be determined without regard to paragraph (1) and no part of the proceeds of the sale of such new stock shall ever be excluded from the gross income of the year of such sale.

(3) Paragraph (1) shall not apply if the new stock was acquired in a taxable year beginning before January 1, 1936, and there was included, as a dividend, in gross income for such year an amount on account of such stock, and after such inclusion such amount was not (before the date of the enactment of this Act) excluded from gross income for such year.

(4) Paragraph (1) shall not apply if the new stock or the old stock was sold or otherwise disposed of in a taxable year beginning before January 1, 1936, and the basis (determined by a decision of a court or the Board of Tax Appeals, or a closing agreement, and the decision or agreement became final before the ninetieth day after the date of the enactment of this Act) for determining gain or loss on such sale or other disposition was ascertained by a method other than that of allocation of the basis of the old stock.

(f) **DETERMINATION UNDER PRIOR ACTS OF PERIOD FOR WHICH HELD.**—For the purposes of the Revenue Act of 1938 or any prior revenue Act, in determining the period for which the taxpayer has held stock or rights to acquire stock, received upon a distribution, if the basis of such stock or rights is determined under section 214 (e) (1) of the Revenue Act of 1939, there shall (under regulations which shall be prescribed by the Commissioner with the approval of the Secretary) be included the period for which he held the stock in the distributing corporation prior to the receipt of such stock or rights upon such distribution. This subsection shall be applicable as if it were a part of each such Act when such Act was enacted.

## SEC. 215. DISCHARGE OF INDEBTEDNESS.

(a) **INCOME FROM DISCHARGE OF INDEBTEDNESS.**—Section 22 (b) of the Internal Revenue Code (relating to exclusions from gross income) is amended by adding at the end thereof the following new paragraph:

Exclusions from gross income.  
*Ante*, p. 10.  
I. R. C. § 22 (b).

“(9) **INCOME FROM DISCHARGE OF INDEBTEDNESS.**—In the case of a corporation, the amount of any income of the taxpayer attributable to the discharge, within the taxable year, of any indebtedness of the taxpayer or for which the taxpayer is liable evidenced by a security (as hereinafter in this paragraph defined) if—

Income from discharge of corporate indebtedness.

(A) it is established to the satisfaction of the Commissioner, or

(B) it is certified to the Commissioner by any Federal agency authorized to make loans on behalf of the United States to such corporation or by any Federal agency authorized to exercise regulatory power over such corporation, that at the time of such discharge the taxpayer was in an unsound financial condition, and if the taxpayer makes and files at the time of filing the return, in such manner as the Commissioner, with the approval of the Secretary, by regulations prescribes, its consent to the regulations prescribed under section 113 (b) (3) then in effect. In such case the amount of any income of the taxpayer attributable to any unamortized premium (computed as of the first day of the taxable year in which such discharge occurred) with respect to such indebtedness shall not be included in gross income and the amount of the deduction attributable to any unamortized discount (computed as of the first day of the taxable year in which such discharge occurred) with respect to such indebtedness shall not be allowed as a deduction. As used in this paragraph the term ‘security’ means any bond, debenture, note, or certificate, or other evidence of indebtedness, issued by any corporation, in existence on June 1, 1939. This paragraph shall not apply to any discharge occurring before the date of the enactment of the Revenue Act of 1939, or in a taxable year beginning after December 31, 1942.”

“Security” defined.

(b) **BASIS REDUCED.**—Section 113 (b) of the Internal Revenue Code (relating to the adjusted basis of property) is amended by adding at the end thereof the following new paragraph:

Application of paragraph.

Adjusted basis of property reduced.  
*Ante*, p. 44.  
I. R. C. § 113 (b).

“(3) **DISCHARGE OF INDEBTEDNESS.**—Where in the case of a corporation any amount is excluded from gross income under section 22 (b) (9) on account of the discharge of indebtedness the whole or a part of the amount so excluded from gross income shall be applied in reduction of the basis of any property held (whether before or after the time of the discharge) by the taxpayer during any portion of the taxable year in which such discharge occurred. The amount to be so applied (not in excess of the amount so excluded from gross income, reduced by the amount of any deduction disallowed under section 22 (b) (9)) and the particular properties to which the reduction shall be allocated, shall be determined under regulations (prescribed by the Commissioner with the approval of the Secretary) in effect at the time of the filing of the consent by the taxpayer referred to in section 22 (b) (9). The reduction shall be made as of the first day of the taxable year in which the discharge occurred except in the case of property not held by the taxpayer on such first day, in which case it shall take effect as of the time the holding of the taxpayer began.”

Discharge of indebtedness.

Taxable years to which applicable.

(c) **TAXABLE YEARS TO WHICH APPLICABLE.**—The amendments made by this section shall be applicable to taxable years beginning after December 31, 1938.

#### SEC. 216. FOREIGN TAX CREDIT.

Allowance of foreign tax credit.  
*Ante*, p. 56.  
I. R. C. § 131 (a).

(a) **DISALLOWANCE OF CREDIT TO SECTION 102 CORPORATIONS.**—Section 131 (a) of the Internal Revenue Code (relating to allowance of foreign tax credit) is amended by striking out "If the taxpayer signifies in his return his desire to have the benefits of this section, the tax imposed by this chapter shall be credited with" and inserting in lieu thereof "If the taxpayer signifies in his return his desire to have the benefits of this section, the tax imposed by this chapter, except the tax imposed under section 102, shall be credited with".

*Ante*, p. 35.  
I. R. C. § 102.

Limit on foreign tax credit.  
*Ante*, p. 56.  
I. R. C. § 131 (b).

(b) **LIMIT ON CREDIT.**—Section 131 (b) of the Internal Revenue Code (relating to the limit on foreign tax credit) is amended to read as follows:

"(b) **LIMIT ON CREDIT.**—The amount of the credit taken under this section shall be subject to each of the following limitations:

"(1) The amount of the credit in respect of the tax paid or accrued to any country shall not exceed the same proportion of the tax against which such credit is taken, which the taxpayer's net income from sources within such country bears to his entire net income, in the case of a taxpayer other than a corporation, or to the normal-tax net income, in the case of a corporation, for the same taxable year; and

"(2) The total amount of the credit shall not exceed the same proportion of the tax against which such credit is taken, which the taxpayer's net income from sources without the United States bears to his entire net income, in the case of a taxpayer other than a corporation, or to the normal-tax net income, in the case of a corporation, for the same taxable year."

Taxes of foreign subsidiary, credit.  
*Ante*, p. 57.  
I. R. C. § 131 (f).

(c) **FOREIGN SUBSIDIARY.**—Section 131 (f) of the Internal Revenue Code (relating to credit for taxes of foreign subsidiary) is amended by striking out "entire net income" and inserting in lieu thereof "normal-tax net income".

#### SEC. 217. EXEMPTION OF CERTAIN FEDERAL EMPLOYEES' ORGANIZATIONS.

Tax exemption of certain Federal employees' organizations.  
*Ante*, p. 33.  
I. R. C. § 101.

(a) Section 101 of the Internal Revenue Code (relating to exemptions from tax on corporations) is amended by adding at the end thereof the following new paragraph:

"(19) Voluntary employees' beneficiary associations providing for the payment of life, sick, accident, or other benefits to the members of such association or their dependents or their designated beneficiaries, if (A) admission to membership in such association is limited to individuals who are officers or employees of the United States Government, and (B) no part of the net earnings of such association inures (other than through such payments) to the benefit of any private shareholder or individual."

Taxable years to which applicable.

(b) The amendment made by this section shall be applicable to taxable years beginning after December 31, 1938.

#### SEC. 218. EMPLOYEES' TRUSTS.

Employees' trusts.  
*Ante*, p. 67.  
I. R. C. § 165.

Section 165 of the Internal Revenue Code (relating to exemption from tax of certain trusts for the benefit of employees) is amended by inserting before the first paragraph "(a) **EXEMPTION FROM**

Tax.—" and by inserting at the end thereof the following new subsection:

"(b) TAXABLE YEAR BEGINNING PRIOR TO JANUARY 1, 1940.—The provisions of clause (2) of subsection (a) shall not apply to a taxable year beginning prior to January 1, 1940."

Taxable year beginning prior to January 1, 1940.

#### SEC. 219. INVENTORIES.

(a) AMENDMENT TO CODE.—Section 22 (d) of the Internal Revenue Code (relating to inventories in certain industries) is amended to read as follows:

Inventories in certain industries.  
*Ante*, p. 11.  
I. R. C. § 22 (d).

"(d) (1) A taxpayer may use the following method (whether or not such method has been prescribed under subsection (c)) in inventorying goods specified in the application required under paragraph (2):

Election of method.

"(A) Inventory them at cost;

"(B) Treat those remaining on hand at the close of the taxable year as being: First, those included in the opening inventory of the taxable year (in the order of acquisition) to the extent thereof, and second, those acquired in the taxable year; and

"(C) Treat those included in the opening inventory of the taxable year in which such method is first used as having been acquired at the same time and determine their cost by the average cost method.

"(2) The method described in paragraph (1) may be used—

Restriction.

"(A) Only in inventorying goods (required under subsection (c) to be inventoried) specified in an application to use such method filed at such time and in such manner as the Commissioner may prescribe; and

"(B) Only if the taxpayer establishes to the satisfaction of the Commissioner that the taxpayer has used no procedure other than that specified in subparagraphs (B) and (C) of paragraph (1) in inventorying (to ascertain income, profit, or loss, for credit purposes, or for the purpose of reports to shareholders, partners, or other proprietors, or to beneficiaries) such goods for any period beginning with or during the first taxable year for which the method described in paragraph (1) is to be used.

"(3) The change to, and the use of, such method shall be in accordance with such regulations as the Commissioner, with the approval of the Secretary, may prescribe as necessary in order that the use of such method may clearly reflect income.

Regulations as to change, etc.

"(4) In determining income for the taxable year preceding the taxable year for which such method is first used, the closing inventory of such preceding year of the goods specified in such application shall be at cost.

Inventory at cost.

"(5) If a taxpayer, having complied with paragraph (2), uses the method described in paragraph (1) for any taxable year, then such method shall be used in all subsequent taxable years unless—

Restriction on change of method.

"(A) With the approval of the Commissioner a change to a different method is authorized; or

"(B) The Commissioner determines that the taxpayer has used for any period beginning with or during any subsequent taxable year some procedure other than that specified in subparagraph (B) of paragraph (1) in inventorying (for ascertaining income, profit, or loss, for credit purposes, or for the purpose of reports to shareholders, partners, or other proprietors, or to beneficiaries) the goods specified in the application, and requires a change to a method different from that prescribed in paragraph (1) beginning with such subsequent taxable year or any taxable year thereafter.

In either of the above cases, the change to, and the use of, the different method shall be in accordance with such regulations as the Commissioner, with the approval of the Secretary, may prescribe as necessary in order that the use of such method may clearly reflect income."

Taxable years to which applicable.

(b) **TAXABLE YEARS TO WHICH APPLICABLE.**—The amendment made by subsection (a) shall be applicable to taxable years beginning after December 31, 1938.

Inventories in certain industries.  
52 Stat. 459.  
26 U. S. C., Supp. IV, § 22 (d).  
*Ante*, p. 877.  
I. R. C. § 22 (d) (1).  
*Ante*, p. 877.  
I. R. C. § 22 (d) (2).

(c) **AMENDMENT TO 1938 ACT.**—Section 22 (d) of the Revenue Act of 1938 (relating to inventories in certain industries) is amended to read as follows:

"(d) If the inventory method described in section 22 (d) (1), as amended, of the Internal Revenue Code is used for the first taxable year beginning after December 31, 1938, then, in determining income for the preceding taxable year, the closing inventory of such year of the goods specified in the application under section 22 (d) (2), as amended, of such Code shall be at cost."

#### SEC. 220. COMPENSATION FOR SERVICES RENDERED FOR A PERIOD OF FIVE YEARS OR MORE.

*Ante*, p. 36.

(a) The Internal Revenue Code is amended by inserting after section 106 the following new section:

#### "SEC. 107. COMPENSATION FOR SERVICES RENDERED FOR A PERIOD OF FIVE YEARS OR MORE.

Cases where compensation is paid only on completion of services.

"In the case of compensation (a) received, for personal services rendered by an individual in his individual capacity, or as a member of a partnership, and covering a period of five calendar years or more from the beginning to the completion of such services, (b) paid (or not less than 95 per centum of which is paid) only on completion of such services, and (c) required to be included in gross income of such individual for any taxable year beginning after December 31, 1938, the tax attributable to such compensation shall not be greater than the aggregate of the taxes attributable to such compensation had it been received in equal portions in each of the years included in such period."

Inclusion in gross income for any taxable year after 1938.

Taxable years to which applicable.

(b) The amendment made by subsection (a) shall be applicable to taxable years beginning after December 31, 1938.

#### SEC. 221. EXTENSION OF TIME OF ORDERS OF SECURITIES AND EXCHANGE COMMISSION.

Securities and Exchange Commission orders.

*Ante*, p. 102.  
I. R. C. § 373 (a).

Term defined.

(a) Section 373 (a) of the Internal Revenue Code (relating to the definition of orders of the Securities and Exchange Commission with respect to which Supplement R applies) is amended to read as follows:

"(a) The term 'order of the Securities and Exchange Commission' means an order (1) issued after May 28, 1938, and prior to January 1, 1941, by the Securities and Exchange Commission to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935, 49 Stat. 820 (U. S. C., Supp. III, Title 15, § 79 (b)), or (2) issued by the Commission subsequent to December 31, 1940, in which it is expressly stated that an order of the character specified in clause (1) is amended or supplemented, and (3) which has become final in accordance with law."

49 Stat. 820.  
15 U. S. C., Supp. IV, § 79k (b).

Taxable years to which applicable.

(b) The amendment made by subsection (a) shall be applicable to taxable years beginning after December 31, 1938.

**SEC. 222. RENEWAL OF INDEBTEDNESS.**

(a) Section 27 (a) (4) of the Internal Revenue Code (relating to corporation credit for amounts used or set aside to pay indebtedness) is amended by inserting at the end thereof the following new sentence: "A renewal (however evidenced) of an indebtedness shall be considered an indebtedness."

Renewal of indebtedness.  
*Ante*, p. 20.  
I. R. C. § 27 (a) (4).

(b) The amendment made by subsection (a) shall be applicable to taxable years beginning after December 31, 1938.

Taxable years to which applicable.

(c) Section 27 (a) (4) of the Revenue Act of 1938 (relating to corporation credit for amounts used or set aside to pay indebtedness) is amended by inserting at the end thereof the following new sentence: "A renewal (however evidenced) of an indebtedness shall be considered an indebtedness."

Renewal of indebtedness.  
52 Stat. 468.

(d) The amendment made by subsection (c) shall be applicable to taxable years beginning after December 31, 1937.

Taxable years to which applicable.

**SEC. 223. COMMODITY CREDIT LOANS.**

(a) The Internal Revenue Code is amended by inserting after section 121 the following new section:

*Ante*, pp. 56, 867.

**"SEC. 123. COMMODITY CREDIT LOANS.**

"(a) Amounts received as loans from the Commodity Credit Corporation shall, at the election of the taxpayer, be considered as income and shall be included in gross income for the taxable year in which received.

Commodity credit loans; treatment of.

"(b) If a taxpayer exercises the election provided for in subsection (a) for any taxable year beginning after December 31, 1938, then the method of computing income so adopted shall be adhered to with respect to all subsequent taxable years unless with the approval of the Commissioner a change to a different method is authorized."

Restriction as to change of method.

(b) **ADJUSTMENT OF BASIS.**—Section 113 (b) (1) of the Internal Revenue Code is amended by adding at the end thereof a new subparagraph reading as follows:

*Ante*, p. 44.  
I. R. C. § 113 (b) (1).

"(G) in the case of property pledged to the Commodity Credit Corporation, to the extent of the amount received as a loan from the Commodity Credit Corporation and treated by the taxpayer as income for the year in which received pursuant to section 123 of this chapter, and to the extent of any deficiency on such loan with respect to which the taxpayer has been relieved from liability."

Adjustment of basis.

(c) The amendments made by subsections (a) and (b) shall be applicable to taxable years beginning after December 31, 1938.

Taxable years to which applicable.

(d) **RETROACTIVE APPLICATION.**—The provisions of subsection (a) shall be retroactively applied in computing income for any taxable year subject to the provisions of the Revenue Act of 1934, the Revenue Act of 1936, or the Revenue Act of 1938, or any of such Acts as amended, if—

Retroactive application.

(1) The taxpayer elects in writing (in accordance with regulations prescribed by the Commissioner with the approval of the Secretary) within one year from the date of the enactment of this Act to treat such loans as income for such year, and

48 Stat. 680; 49 Stat. 1648; 52 Stat. 447.

(2) The records of the taxpayer are sufficient to permit an accurate computation of income for such year, and

(3) The taxpayer consents in writing to the assessment, within such period as may be agreed upon, of any deficiency for such year, even though the statutory period for the assessment of any such deficiency had expired prior to the filing of such consent.



Credit for overpaid tax.

Adjustment of basis for prior years.

48 Stat. 680; 49 Stat. 1648; 52 Stat. 447.

Any tax overpaid for any such year shall be credited or refunded, subject to the statutory period of limitation properly applicable thereto.

(e) **ADJUSTMENT OF BASIS FOR PRIOR YEARS.**—In computing income for any taxable year subject to the provisions of the Revenue Act of 1934, the Revenue Act of 1936, or the Revenue Act of 1938, or any of such Acts as amended, the basis, for determining gain or loss from the sale or other disposition of any property, pledged to the Commodity Credit Corporation as security on a loan obtained therefrom, shall be adjusted for the amount of such loan to the extent it was considered as income and included in gross income for the year in which received, and for the amount of any deficiency on such loan with respect to which the taxpayer was relieved from liability.

## SEC. 224. CHARITABLE CONTRIBUTIONS TO POSSESSIONS AND CHARITIES IN POSSESSIONS.

Charitable deductions of taxpayers other than corporations.

*Ante*, p. 14.  
I. R. C. § 23 (o) (1) (2).

For public purposes.

For religious, charitable, etc., purposes.

(a) **CHARITABLE DEDUCTIONS OF TAXPAYERS OTHER THAN CORPORATIONS.**—Section 23 (o) (1) and (2) of the Internal Revenue Code are amended to read as follows:

“(1) The United States, any State, Territory, or any political subdivision thereof or the District of Columbia, or any possession of the United States, for exclusively public purposes;

“(2) A corporation, trust, or community chest, fund, or foundation, created or organized in the United States or in any possession thereof or under the law of the United States or of any State or Territory or of any possession of the United States, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation;”.

*Ante*, p. 15.  
I. R. C. § 23 (q).

Deductions allowed.

(b) **CHARITABLE DEDUCTION OF CORPORATIONS.**—Section 23 (q) of the Internal Revenue Code is amended to read as follows:

“(q) **CHARITABLE AND OTHER CONTRIBUTIONS BY CORPORATIONS.**—In the case of a corporation, contributions or gifts payment of which is made within the taxable year to or for the use of a corporation, trust, or community chest, fund, or foundation, created or organized in the United States or in any possession thereof or under the law of the United States, or of any State or Territory, or of the District of Columbia, or of any possession of the United States, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes or for the prevention of cruelty to children (but in the case of contributions or gifts to a trust, chest, fund, or foundation, only if such contributions or gifts are to be used within the United States or any of its possessions exclusively for such purposes), no part of the net earnings of which inures to the benefit of any private shareholder or individual, and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation; to an amount which does not exceed 5 per centum of the taxpayer's net income as computed without the benefit of this subsection. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the Commissioner, with the approval of the Secretary.”

Verification.

## SEC. 225. PAN-AMERICAN TRADE CORPORATIONS.

*Ante*, p. 66.

The Internal Revenue Code is amended by inserting after section 151 the following new section:

**"SEC. 152. PAN-AMERICAN TRADE CORPORATIONS.**

"If a domestic corporation engaged in the active conduct of a trade or business within the United States (hereinafter referred to as the 'parent corporation') owns directly 100 per centum of the capital stock of one or more domestic corporations each of which is engaged solely in the active conduct of a trade or business in Central or South America (hereinafter referred to as a Pan-American trade corporation), such corporations (including the 'parent corporation') shall be deemed to be an affiliated group of corporations within the meaning of section 141 of this chapter, provided that the following conditions are satisfied:

Benefits to domestic corporations in active conduct of Pan-American trade.

*Ante*, pp. 58, 866.  
I. R. C. § 141.

Conditions.

"(1) At least 80 per centum of the gross income for the taxable year of the parent corporation is derived from sources other than royalties, rents, dividends, interest, annuities, and gains from the sale or exchange of stock or securities; and

"(2) At least 90 per centum of the gross income for the taxable year of each of the Pan-American trade corporations is derived from sources other than royalties, rents, dividends, interest, annuities, and gains from the sale or exchange of stock or securities; and

"(3) No part of the gross income for the taxable year of any of the Pan-American trade corporations is derived from sources within the United States."

**SEC. 226. DEDUCTIONS OF INSURANCE COMPANIES OTHER THAN LIFE OR MUTUAL.**

(a) Section 204 (c) (10) of the Internal Revenue Code is amended to read as follows:

Deductions allowed.  
*Ante*, p. 74.  
I. R. C. § 204 (c) (10).

"(10) Deductions (other than those specified in this subsection) as provided in section 23."

(b) The amendment made by subsection (a) shall be applicable to taxable years beginning after December 31, 1938.

*Ante*, pp. 12, 867, 880.  
I. R. C. § 23.  
Taxable years to which applicable.

**SEC. 227. DEFINITION OF GROSS INCOME OF CERTAIN INSURANCE COMPANIES FOR PERSONAL HOLDING COMPANY TAX.**

(a) Section 507 of the Internal Revenue Code is amended to read as follows:

*Ante*, p. 111.  
I. R. C. § 507.

**"SEC. 507. MEANING OF TERMS USED.**

"(a) **GENERAL RULE.**—The terms used in this subchapter shall have the same meaning as when used in chapter 1.

General rule.

"(b) **INSURANCE COMPANIES OTHER THAN LIFE OR MUTUAL.**—Notwithstanding subsection (a), the term 'gross income', as used in this subchapter, means, in the case of an insurance company other than life or mutual, the gross income, as defined in section 204 (b) (1), increased by the amount of losses incurred, as defined in section 204 (b) (6), and the amount of expenses incurred, as defined in section 204 (b) (7), and decreased by the amount deductible under section 204 (c) (7) (relating to tax-free interest)."

"Gross income."

*Ante*, pp. 73, 74.  
I. R. C. §§ 204 (b) (1) (6) (7), 204 (c) (7).

(b) **TAXABLE YEARS TO WHICH APPLICABLE.**—The amendments made by this section shall be applicable to taxable years beginning after December 31, 1938.

Taxable years to which applicable.

**SEC. 228. COMPUTATION OF DIVIDEND CARRY-OVER FOR PERSONAL-HOLDING COMPANY TAX.**

(a) Section 504 (a) of the Internal Revenue Code is amended by inserting before the semicolon at the end thereof a comma and the following: "and, in the computation of the dividend carry-over for

Computation; allowance.  
*Ante*, p. 107.  
I. R. C. § 504 (a).

*Ante*, p. 20.  
I. R. C. § 27 (c).  
*Ante*, p. 108.  
I. R. C. § 505 (a) (1).  
Taxable years to which applicable.

the purposes of this subchapter, the term 'adjusted net income' as used in section 27 (c) means the adjusted net income minus the deduction allowed for Federal taxes under section 505 (a) (1)".

(b) The amendment made by subsection (a) shall be applicable to taxable years beginning after December 31, 1938.

#### SEC. 229. TAXABLE YEARS TO WHICH AMENDMENTS APPLICABLE.

Taxable years to which amendments applicable.  
*Ante*, pp. 867, 870, 872, 875, 876, 877, 878, 879, 881.

Except the amendments made by sections 211, 213, 214, 215, 217, 219, 220, 221, 222, 223, 226, 227, and 228, the amendments made by this title to the Internal Revenue Code shall be applicable only with respect to taxable years beginning after December 31, 1939.

### TITLE III—CAPITAL STOCK AND EXCESS PROFITS TAXES

#### SEC. 301. DECLARATION OF VALUE FOR CAPITAL STOCK PURPOSES, 1939 AND 1940.

Declaration of value.  
*Ante*, p. 169.  
I. R. C. § 1202.

Section 1202 of the Internal Revenue Code (relating to declaration of capital stock value) is amended by inserting at the end thereof the following new subsection:

Additional declaration years.

"(e) **ADDITIONAL DECLARATION YEARS.**—In the case of any domestic corporation, the year ending June 30, 1939, and the year ending June 30, 1940, shall each, if not otherwise a declaration year, constitute an additional declaration year if with respect to such year (1) the taxpayer so elects (which election cannot be changed) in its return filed before the expiration of the statutory filing period or any authorized extension thereof, and (2) the value declared by the taxpayer is in excess of the adjusted declared value computed under paragraph (1) of subsection (b). If, under this subsection, the year ending June 30, 1939, is a declaration year, the computation, under paragraph (1) of subsection (b), of the adjusted declared value for the year ending June 30, 1940, shall be made on the basis of the value declared for the year ending June 30, 1939."

### TITLE IV—MISCELLANEOUS AMENDMENTS

#### SEC. 401. TAX LIENS ON SECURITIES.

Tax liens on securities.  
*Ante*, p. 449.  
I. R. C. § 3672.

Section 3672 of the Internal Revenue Code is amended to read as follows:

#### "SEC. 3672. VALIDITY AGAINST MORTGAGEES, PLEDGEES, PURCHASERS, AND JUDGMENT CREDITORS.

Invalidity of lien without notice.

"(a) **INVALIDITY OF LIEN WITHOUT NOTICE.**—Such lien shall not be valid as against any mortgagee, pledgee, purchaser, or judgment creditor until notice thereof has been filed by the collector—

"(1) **UNDER STATE OR TERRITORIAL LAWS.**—In accordance with the law of the State or Territory in which the property subject to the lien is situated, whenever the State or Territory has by law provided for the filing of such notice; or

"(2) **WITH CLERK OF DISTRICT COURT.**—In the office of the clerk of the United States district court for the judicial district in which the property subject to the lien is situated, whenever the State or Territory has not by law provided for the filing of such notice; or

"(3) **WITH CLERK OF DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF COLUMBIA.**—In the office of the clerk of the

District Court of the United States for the District of Columbia, if the property subject to the lien is situated in the District of Columbia.

“(b) (1) EXCEPTION IN CASE OF SECURITIES.—Even though notice of a lien provided in section 3670 has been filed in the manner prescribed in subsection (a) of this section, or notice of a lien provided in section 3186 of the Revised Statutes, as amended, has been filed in the manner prescribed in such section or subsection (a) of this section, the lien shall not be valid with respect to a security, as defined in paragraph (2) of this subsection, as against any mortgagee, pledgee, or purchaser, of such security, for an adequate and full consideration in money or money's worth, if at the time of such mortgage, pledge, or purchase such mortgagee, pledgee, or purchaser is without notice or knowledge of the existence of such lien.

“(2) DEFINITION OF SECURITY.—As used in this subsection the term ‘security’ means any bond, debenture, note, or certificate, or other evidence of indebtedness, issued by any corporation (including one issued by a government or political subdivision thereof), with interest coupons or in registered form, share of stock, voting trust certificate, or any certificate of interest or participation in, certificate of deposit or receipt for, temporary or interim certificate for, or warrant or right to subscribe to or purchase, any of the foregoing; negotiable instrument; or money.

“(3) APPLICABILITY OF SUBSECTION.—Except where the lien has been enforced by a proceeding, suit, or civil action which has become final before the date of enactment of the Revenue Act of 1939, this subsection shall apply regardless of the time when the mortgage, pledge, or purchase was made or the lien arose.”

#### SEC. 402. TAX ON TRANSFERS OF WORTHLESS SECURITIES BY EXECUTOR, ETC.

Section 1802 (b) of the Internal Revenue Code (relating to the tax on transfers of capital stock and similar interests) is amended by inserting at the end thereof the following new paragraph:

“The tax imposed by this subsection shall not be imposed upon any delivery or transfer by an executor or administrator to a legatee, heir, or distributee of shares or certificates of stock if it is shown to the satisfaction of the Commissioner that the value of such shares or certificates is not greater than the amount of the tax that would otherwise be imposed on such delivery or transfer.”

#### SEC. 403. CREDITS AGAINST ESTATE TAX OF TAX PAID TO POSSESSIONS.

(a) Section 813 (b) of the Internal Revenue Code (relating to the 80 per centum credit for estate, legacy, succession, and inheritance taxes paid) is amended by inserting after “District of Columbia,” the following: “or any possession of the United States.”

(b) The amendment made by subsection (a) shall be applicable only with respect to estates of decedents dying after the date of the enactment of this Act.

#### SEC. 404. RETURNS BY ATTORNEYS AS TO FOREIGN CORPORATIONS.

Effective as of the date of the enactment of the Internal Revenue Code, section 3604 of such Code is amended by striking out “Nothing in this section shall be construed to require the divulging of privileged communications between attorney and client.” and inserting in lieu thereof “Nothing in this section shall be construed to require the

Exception in case of securities.

*Ante*, p. 448.

I. R. C. § 3670.

R. S. § 3186.

*Ante*, pp. 448-450.

I. R. C. §§ 3670-3677.

“Security” defined.

Applicability of subsection.

Transfers of worthless securities by executor, etc.

*Ante*, p. 196.

I. R. C. § 1802 (b).

Credit against estate tax of tax paid to possessions.

*Ante*, p. 125.

I. R. C. § 813 (b).

Applicability.

Returns by attorneys as to foreign corporations.

*Ante*, p. 436.

I. R. C. § 3604.

filing by an attorney-at-law of a return with respect to any advice given or information obtained through the relationship of attorney and client."

#### SEC. 405. FILING OF CLAIMS FOR REFUND OF AMOUNTS COLLECTED UNDER THE AGRICULTURAL ADJUSTMENT ACT.

Filing of claims, expiration of time.  
49 Stat. 1747.

Section 903 of the Revenue Act of 1936 (relating to expiration of time for filing claims for refund of amounts paid under the Agricultural Adjustment Act) is amended by striking out "July 1, 1937" and inserting in lieu thereof "January 1, 1940".

#### SEC. 406. INSOLVENT BANKS.

Insolvent banks.  
*Ante*, p. 470.  
I. R. C. § 3798 (c).  
Erroneous collections.

(a) Section 3798 (c) of the Internal Revenue Code is amended to read as follows:

"(c) (1) Any such tax collected, whether collected before, on, or after the date of enactment of the Revenue Act of 1938, shall be deemed to be erroneously collected, and shall be refunded subject to all provisions and limitations of law, so far as applicable, relating to the refunding of taxes.

Assessment, etc., barred under subsection (a), etc.  
*Ante*, p. 470.

"(2) Any tax, the assessment, collection, or payment of which is barred under subsection (a) of this section, or any such tax which has been abated or remitted after May 28, 1938, shall be assessed or reassessed whenever it shall appear that payment of the tax will not diminish the assets as aforesaid.

Barred under subsection (b).  
*Ante*, p. 470.

"(3) Any tax, the assessment, collection, or payment of which is barred under subsection (b) of this section or any such tax which has been refunded after May 28, 1938, shall be assessed or reassessed after full payment of such claims of depositors to the extent of the remaining assets segregated or transferred as described in subsection (b).

Suspension of statute of limitations on making of assessment, etc.

"(4) The running of the statute of limitations on the making of assessment and collection shall be suspended, during, and for ninety days beyond, the period for which, pursuant to this section, assessment or collection may not be made, and a tax may be reassessed as provided in paragraphs (2) and (3) of this subsection, and collected, during the time within which, had there been no abatement, collection might have been made."

"Agent" defined.  
*Ante*, p. 470.  
I. R. C. § 3798 (b).

(b) The term "agent" as used in 3798 (b) of the Internal Revenue Code shall be deemed to include a corporation acting as a liquidating agent.

Effective date of amendments.  
52 Stat. 447.

(c) The amendments made by this section shall be effective as of the date of enactment of the Revenue Act of 1938.

#### SEC. 407. SALE OF INFORMATION DERIVED FROM INCOME TAX RETURNS.

Sale of information derived from income tax returns.  
*Ante*, p. 65.  
I. R. C. § 148 (f).

Section 148 (f) of the Internal Revenue Code is amended by adding at the end thereof the following new sentence: "It shall be unlawful for any person to sell, offer for sale, or circulate, for any consideration whatsoever, any copy or reproduction of any list, or part thereof, authorized to be made public by this Act or by any prior Act relating to the publication of information derived from income-tax returns; and any offense against the foregoing provision shall be a misdemeanor and be punished by a fine not exceeding \$1,000 or by imprisonment not exceeding one year, or both, at the discretion of the court: *Provided*, That nothing in this sentence shall be construed to be applicable with respect to any newspaper, or other periodical publication, entitled to admission to the mails as second-class mail matter."

Penalty.

*Proviso.*  
Exceptions.

## SEC. 408. EXEMPTION FROM INTERNAL REVENUE TAX OF ARTICLES BROUGHT INTO GUAM OR AMERICAN SAMOA.

Section 3361 (b) of the Internal Revenue Code is amended by adding a comma and the words "Guam, and American Samoa" after the words "Puerto Rico".

Guam and American Samoa, exemption of tax, etc.  
*Ante*, p. 406.  
 I. R. C. § 3361 (b).

Approved, June 29, 1939, 10 p. m. E. S. T.

## [CHAPTER 248]

## AN ACT

Making appropriations for the Departments of State and Justice and for the Judiciary, and for the Department of Commerce, for the fiscal year ending June 30, 1940, and for other purposes.

June 29, 1939  
 [H. R. 6392]  
 [Public, No. 159]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Departments of State and Justice and for the Judiciary, and for the Department of Commerce, for the fiscal year ending June 30, 1940, namely:

## TITLE I—DEPARTMENT OF STATE

Department of State Appropriation Act, 1940.

## OFFICE OF THE SECRETARY OF STATE

Salaries: For Secretary of State; Under Secretary of State, \$10,000; counselor, \$10,000; and other personal services in the District of Columbia, including temporary employees, and not to exceed \$6,500 for employees engaged on piecework at rates to be fixed by the Secretary of State; \$2,192,000: *Provided*, That in expending appropriations or portions of appropriations, contained in this Act, for the payment of personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, with the exception of the four Assistant Secretaries of State and the legal adviser of the Department of State, the Assistant to the Attorney General, the Assistant Solicitor General, and six Assistant Attorneys General, the Assistant Secretaries of Commerce, the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act, or (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, or (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

Salaries.  
*Post*, p. 1337.

Temporary and piecework employees.

*Provisos*.  
 Salaries limited to average rates under Classification Act; exceptions.  
 5 U. S. C. §§ 661-674; Supp. IV, §§ 673, 673c.

If only one position in grade.

Advances in unusually meritorious cases.

Restriction not applicable to clerical-mechanical service.  
 No reduction in fixed salaries.

42 Stat. 1490.  
 5 U. S. C. § 666.  
 Transfers without reduction.

Higher salary rates permitted.

No reduction if only one position in grade.

Salaries, reciprocal trade agreements.

Salaries, reciprocal trade agreements: For personal services in carrying out the reciprocal trade agreements program, \$225,000.

#### CONTINGENT EXPENSES (DEPARTMENTAL)

Department contingent expenses.

Books, periodicals, etc.

Vehicles.

Attendance at meetings.

Refund of passport fees erroneously charged.

41 Stat. 750.  
22 U. S. C. §§ 214, 214a.  
Miscellaneous items.

Contingent expenses: For contingent and miscellaneous expenses, including stationery, furniture, fixtures; typewriters, adding machines, and other labor-saving devices, including rental, exchange and repair thereof (not to exceed \$27,500); purchase and exchange of books, maps, and periodicals, domestic and foreign, and, when authorized by the Secretary of State, dues for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members, newspapers, teletype rentals, and tolls (not to exceed \$12,000); purchase, including exchange, of one passenger-carrying automobile and two automobile mail wagons; maintenance, repair, and storage of motor-propelled vehicles, to be used only for official purposes (including one passenger-carrying vehicle for the Secretary of State and one for the general use of the department); streetcar fare; traveling expenses, including not to exceed \$5,000 for expenses of attendance at meetings concerned with the work of the Department of State when authorized by the Secretary of State; refund of fees erroneously charged and paid for the issue of passports to persons who are exempted from the payment of such fee by section 1 of the Act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1921, approved June 4, 1920 (22 U. S. C. 214, 214a); the examination of estimates of appropriations in the field; and other miscellaneous items not included in the foregoing, \$138,000.

#### PRINTING AND BINDING

Printing and binding.

Printing and binding: For all printing and binding in the Department of State, including all of its bureaus, offices, institutions, and services, located in Washington, District of Columbia, and elsewhere, \$225,000.

#### PASSPORT AGENCIES

Passport agencies.

Passport agencies: For salaries and expenses of maintenance, rent, cost of insurance covering shipments of money by messenger, registered mail, or otherwise, and traveling expenses not to exceed \$500, for not to exceed five passport agencies, \$60,000.

#### COLLECTING AND EDITING OFFICIAL PAPERS OF TERRITORIES OF THE UNITED STATES

Collecting, etc., of official papers of the Territories for publication.

Printing and binding.

45 Stat. 1412; 50 Stat. 323.  
5 U. S. C. §§ 168-168b; Supp. IV, §§ 168a, 168c.

Unexpended balances reappropriated.  
*Proviso.*  
Edition limited; distribution.

Collecting and editing official papers of Territories of the United States: For the expenses of collecting, editing, copying, and arranging for publication the official papers of the Territories of the United States, including personal services in the District of Columbia and elsewhere, printing and binding, and contingent and traveling expenses, as provided by the Act approved February 28, 1929 (5 U. S. C. 168-168b), as amended by the Act approved June 28, 1937 (50 Stat. 323), \$19,800, together with the unexpended balances of the appropriations for this purpose for the fiscal years 1938 and 1939: *Provided*, That hereafter not more than one thousand two hundred copies of any volume of this publication shall be printed, bound, and delivered to the Superintendent of Documents for distribution in such manner and number as may be authorized and directed by the Joint Committee on Printing.

## PROMOTION OF FOREIGN TRADE

Promotion of foreign trade: For the purpose of carrying into effect the provisions of section 4 of the Act entitled "An Act to amend the Tariff Act of 1930", approved June 12, 1934 (48 Stat. 945), as amended, including personal services, stenographic reporting services, by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (41 U. S. C. 5), contingent expenses, printing and binding, traveling expenses, and such other expenses as the President may deem necessary, \$43,000.

Promotion of foreign trade.

48 Stat. 945.  
19 U. S. C. § 1354.  
Personal services.  
Contract services.

R. S. § 3709.  
41 U. S. C. § 5.

## FOREIGN INTERCOURSE

Salaries, Ambassadors and Ministers: Ambassadors Extraordinary and Plenipotentiary to Argentina, Brazil, Chile, China, Colombia, Cuba, France, Germany, Great Britain, Italy, Japan, Mexico, Panama, Peru, Poland, Spain, Turkey, Union of Soviet Socialist Republics, and Venezuela, at \$17,500 each;

Salaries.  
Ambassadors.

Ambassador Extraordinary and Plenipotentiary to Belgium and Envoy Extraordinary and Minister Plenipotentiary to Luxemburg, \$17,500;

Envoy Extraordinary and Minister Plenipotentiary to the Netherlands, \$12,000;

Ministers.

Envoys Extraordinary and Ministers Plenipotentiary to Albania, Bolivia, Bulgaria, Czechoslovakia, Costa Rica, Denmark, Dominican Republic, Dominion of Canada, Ecuador, Egypt, El Salvador, Finland, Greece, Guatemala, Haiti, Honduras, Hungary, Iran, Ireland, Liberia, Lithuania, Nicaragua, Norway, Paraguay, Portugal, Rumania, Siam, Union of South Africa, Sweden, Switzerland, Uruguay, and Yugoslavia, at \$10,000 each; and to Estonia and Latvia, \$10,000;

In all, not to exceed \$650,000:

*Provided*, That no salary herein appropriated shall be paid to any official receiving any other salary from the United States Government.

*Proviso.*  
Salary restriction.

Salaries, Foreign Service officers: For salaries of Foreign Service officers as provided in the Act approved February 23, 1931 (22 U. S. C. 3, 3a); salaries of Ambassadors, Ministers, consuls, vice consuls, and other officers of the United States for the period actually and necessarily occupied in receiving instructions and in making transits to and from their posts, and while awaiting recognition and authority to act in pursuance with the provisions of section 1740 of the Revised Statutes (22 U. S. C. 121); and salaries of Foreign Service officers or vice consuls while acting as *Chargés d'Affaires ad interim* or while in charge of a consulate general or consulate during the absence of the principal officer; \$3,580,000.

Foreign Service officers.  
46 Stat. 1207.  
22 U. S. C. §§ 3, 3a.  
Instruction and transit pay.

R. S. § 1740.  
22 U. S. C. § 121.  
*Chargés d'Affaires ad interim.*

Transportation, Foreign Service: To pay the traveling expenses, including travel by airplane when specifically authorized by the Secretary of State, of Diplomatic, Consular, and Foreign Service officers, and other employees of the Foreign Service, including Foreign Service inspectors, and under such regulations as the Secretary of State may prescribe, of their families and expenses of transportation of effects, in going to and returning from their posts, including not to exceed \$120,000 for expenses in connection with leaves of absence; not to exceed \$7,500 for attendance at trade and other conferences and congresses under orders of the Secretary of State as authorized by the Act approved February 23, 1931 (22 U. S. C. 16, 17); preparation and transportation of the remains of those officers and employees of the Foreign Service, who have died or may die abroad or in transit while in the discharge of their official duties, to their former homes

Transportation.

Leaves of absence.  
Attendance at conferences.

46 Stat. 1209.  
22 U. S. C. §§ 16, 17.  
Bringing home remains of officers, etc., dying abroad.



Allowances to wid-  
ows, etc.  
R. S. § 1749.  
22 U. S. C. § 130.

Travel under Secre-  
tary's orders.

*Proviso.*  
Subsistence on tem-  
porary detail under  
commission.

Office and living  
quarters allowances.

46 Stat. 818.  
5 U. S. C. § 118a.

*Provisos.*  
Advance payment  
of rent.  
Leases.

R. S. § 3709.  
41 U. S. C. § 5.  
Allowance for quar-  
ters, etc.; limitation.

Cost of living allow-  
ances.  
46 Stat. 1207, 1209.  
22 U. S. C. §§ 12, 23c.

*Proviso.*  
Regulation of ex-  
penditure.

Representation al-  
lowances.  
46 Stat. 1209.  
22 U. S. C. § 12.

Foreign Service re-  
tirement and disa-  
bility fund, Federal  
contribution.

46 Stat. 1211.  
22 U. S. C. § 21.

Clerks, salaries.

46 Stat. 1207.  
22 U. S. C. § 23a.

Miscellaneous sala-  
ries and allowances.

in this country or to a place not more distant for interment and for the ordinary expenses of such interment, and also for payment under the provisions of section 1749 of the Revised Statutes (22 U. S. C. 130) of allowances to the widows or heirs at law of Diplomatic, Consular, and Foreign Service officers of the United States dying in foreign countries in the discharge of their duties, \$600,000, of which amount not to exceed \$50,000 shall be available until June 30, 1941, for disbursement for expenses of travel under orders issued by the Secretary of State during the fiscal year 1940: *Provided*, That this appropriation shall be available also for the authorized subsistence expenses of Consular and Foreign Service officers while on temporary detail under commission.

Office and living quarters allowances, Foreign Service: For rent, heat, fuel, and light for the Foreign Service for offices and grounds, and, as authorized by the Act approved June 26, 1930 (5 U. S. C. 118a), for living quarters and for allowances for living quarters, including heat, fuel, and light, \$2,020,000: *Provided*, That payment for rent may be made in advance: *Provided further*, That the Secretary of State may enter into leases for such offices, grounds, and living quarters for periods not exceeding ten years and without regard to section 3709 of the Revised Statutes (41 U. S. C. 5): *Provided further*, That no part of this appropriation shall be used for allowances for living quarters, including heat, fuel, and light, in an amount exceeding \$3,000 for an ambassador, minister, or chargé d'affaires, and not exceeding \$1,700 for any other Foreign Service officer: *Provided further*, That under this appropriation and the appropriations herein for "Contingent expenses, Foreign Service", and "Miscellaneous salaries and allowances, Foreign Service", not more than \$5,000 shall be expended for heat, fuel, and light for living quarters for each ambassador or minister occupying a Government-owned building for residence or residence and office purposes, and not more than \$1,700 for such purposes in the case of any other Foreign Service officer, and during the incumbency of a chargé d'affaires the limitation on such expenditures shall be the same as for the occupancy by the principal officer.

Cost of living allowances, Foreign Service: To carry out the provisions of the Act approved February 23, 1931 (22 U. S. C. 12, 23c), relating to allowances and additional compensation to diplomatic, consular, and Foreign Service officers and clerks when such allowances and additional compensation are necessary to enable such officers and clerks to carry on their work efficiently, \$300,000: *Provided*, That such allowances and additional compensation shall be granted only in the discretion of the President, and under such regulations as he may prescribe.

Representation allowances, Foreign Service: For representation allowances as authorized by the Act approved February 23, 1931 (22 U. S. C. 12), \$140,000.

Foreign Service retirement and disability fund: For financing the liability of the United States, created by the Act approved February 23, 1931 (22 U. S. C. 21), \$199,400, which amount shall be placed to the credit of the "Foreign Service retirement and disability fund".

Salaries of clerks, Foreign Service: For salaries of clerks in the Foreign Service, as provided in the Act approved February 23, 1931 (22 U. S. C. 23a), including salaries while under instruction in the United States and during transit to and from homes in the United States upon the beginning and after termination of service, \$2,550,000.

Miscellaneous salaries and allowances, Foreign Service: For salaries or compensation of kavasses, guards, dragomans, porters, interpreters, prison keepers, translators, archive collators, Chinese writers, mes-

sengers, couriers, telephone operators, supervisors of construction, and custodial and operating force for maintenance and operation of Government-owned and leased diplomatic and consular properties in foreign countries; compensation of agents and employees of dispatch agencies at New York, San Francisco, Seattle, and New Orleans, including salaries during transit to and from their homes in the United States upon the beginning and after termination of service in foreign countries; operation of motor-propelled and other passenger- and non-passenger-carrying vehicles; for allowances to consular officers, who are paid in whole or in part by fees, for services necessarily rendered to American vessels and seamen, as provided in the Act of June 26, 1884 (22 U. S. C. 89; 46 U. S. C. 101); and such other miscellaneous personal services as the President may deem necessary, \$700,000: *Provided*, That no part of this appropriation shall be expended for salaries or wages of persons not American citizens performing clerical services (except interpreters, translators, and messengers), whether officially designated as clerks or not, in any foreign mission: *Provided further*, That the Secretary of the Navy is authorized, upon request by the Secretary of State, to assign enlisted men of the Navy and Marine Corps to serve as custodians, under the immediate supervision of the Secretary of State or the chief of mission, whichever the Secretary of State shall direct, at embassies, legations, or consulates of the United States located in foreign countries.

Contingent expenses, Foreign Service: For stationery; blanks; record and other books; seals; presses; flags; signs; military equipment and supplies; repairs and alterations; repairs, preservation, and maintenance of Government-owned and leased diplomatic and consular properties in foreign countries, including water, materials, supplies, tools, seeds, plants, shrubs, and similar objects; newspapers (foreign and domestic); freight; postage; telegrams; advertising; ice and drinking water for office purposes; purchase, maintenance, and hire of motor-propelled or horse-drawn passenger-carrying vehicles, and purchase, maintenance, and hire of other passenger-carrying vehicles; insurance of official motor vehicles in foreign countries when required by the law of such countries; funds for establishment and maintenance of commissary service; uniforms; furniture; household furniture and furnishings, except as provided by the Act of May 7, 1926, as amended (22 U. S. C. 292-299), for Government-owned or rented buildings; typewriters and exchange of same; maintenance and rental of launch for embassy in Turkey, not exceeding \$3,500, including personnel for operation; rent and other expenses for dispatch agencies at New York, San Francisco, Seattle, and New Orleans; traveling expenses, including the transportation of members of families and personal effects of diplomatic officers or Foreign Service officers acting as *chargés d'affaires* in traveling to seats of government at which they are accredited other than the city of usual residence and returning to the city of usual residence; loss by exchange; payment in advance for subscriptions to commercial information, telephone and other similar services; expenses of vice consulates and consular agencies for any of the foregoing objects; allowances for special instruction, education, and individual training of Foreign Service officers at home and abroad, not to exceed \$7,500; cost, not exceeding \$500 per annum each, of the tuition of Foreign Service officers assigned for the study of the languages of Asia and eastern Europe; for relief, protection, and burial of American seamen in foreign countries, in the Panama Canal Zone, and in the Philippine Islands, and shipwrecked American seamen in the Territory of Alaska, in the Hawaiian Islands, in Puerto Rico, and in the Virgin Islands, and

Dispatch agencies.

Salaries during transit.

Vehicles.

Services to American seamen, etc.

23 Stat. 56.  
22 U. S. C. § 89;  
46 U. S. C. § 101.  
*Provided*.  
Citizenship requirements.

Naval assignments as custodians.

Contingent expenses, Foreign Service.

Vehicles.

Commissary service.  
Government buildings abroad.  
44 Stat. 403.  
22 U. S. C. §§ 292-299; Supp. IV, § 295a.

Traveling, etc., expenses.

Language study.

Relief, etc., of American seamen.

Consular prisons,  
etc.

Bringing home persons charged with crime.

R. S. § 5275.  
18 U. S. C. § 659.

*Proviso.*  
Navy Department, reimbursement.

for expenses which may be incurred in the acknowledgment of the services of masters and crews of foreign vessels in rescuing American seamen or citizens from shipwreck or other catastrophe at sea; for expenses of maintaining in China, the former Ottoman Empire, Egypt, Ethiopia, Morocco, and Muscat institutions for incarcerating American convicts and persons declared insane by any consular court, rent of quarters for prisons, ice and drinking water for prison purposes, and for the expenses of keeping, feeding, and transportation of prisoners and persons declared insane by any consular court in China, the former Ottoman Empire, Egypt, Ethiopia, Morocco, and Muscat; for every expenditure requisite for or incident to the bringing home from foreign countries of persons charged with crime as authorized by section 5275 of the Revised Statutes (18 U. S. C. 659); and such other miscellaneous expenses as the President may deem necessary; \$1,135,000: *Provided*, That this appropriation shall be available for reimbursement of appropriations for the Navy Department, in an amount not to exceed \$35,000, for materials, supplies, equipment, and services furnished by the Navy Department, including pay, subsistence, allowances, and transportation of enlisted men of the Navy and Marine Corps who may be assigned by the Secretary of the Navy, upon request of the Secretary of State, to embassies, legations, or consular offices of the United States located in foreign countries.

#### FOREIGN SERVICE BUILDINGS FUND

Foreign Service Buildings Fund.  
52 Stat. 441.  
22 U. S. C., Supp. IV, § 295a.

Acquisition of sites and preparation of plans.

*Provisos.*  
Payments in foreign currency; provisions.

Retroactive authorization.

**Foreign Service Buildings Fund:** For the purpose of carrying into effect the provisions of the Act of May 25, 1938, entitled "An Act to provide additional funds for buildings for the use of the diplomatic and consular establishments of the United States" (52 Stat. 441), including the initial alterations, repair, and furnishing of buildings acquired under said Act, \$750,000, to remain available until expended, and in addition the Secretary of State is authorized to enter into contracts for the acquisition of sites and preparation of plans during the fiscal year 1940 in an amount of not to exceed \$250,000: *Provided*, That whenever a contract is made for the construction, alteration, or repair of a Foreign Service building which requires payments in a foreign currency, the Secretary of State is authorized to purchase such currency at such times and in such amounts (within the total amount of the payments to be made under such contract) as he may deem necessary, the currency so purchased to be disbursed and accounted for at its cost price: *Provided further*, That this authorization shall also apply to the funds available to the Secretary of State under prior appropriations for the construction of Foreign Service buildings.

#### EMERGENCIES ARISING IN THE DIPLOMATIC AND CONSULAR SERVICE

Emergencies, Diplomatic and Consular Service.

Neutrality Act expenses.  
R. S. § 291.  
31 U. S. C. § 107.  
*Proviso.*  
Emergency transfer of funds.

**Emergencies arising in the Diplomatic and Consular Service:** To enable the President to meet unforeseen emergencies arising in the Diplomatic and Consular Service, and to extend the commercial and other interests of the United States and to meet the necessary expenses attendant upon the execution of the Neutrality Act, to be expended pursuant to the requirement of section 291 of the Revised Statutes (31 U. S. C. 107), \$175,000: *Provided*, That whenever the President shall find that a state of emergency exists endangering the lives of American citizens in any foreign country, he may make available for expenditure for the protection of such citizens, by transfer to this appropriation, not to exceed \$500,000 from the various appropriations contained herein under the heading "Foreign Inter-course"; and reimbursements by American citizens to whom relief

has been extended shall be credited to any appropriation from which funds have been transferred for the purposes hereof, except that reimbursements so credited to any appropriation shall not exceed the amount transferred therefrom.

Not to exceed 10 per centum of any of the foregoing appropriations under the caption "Foreign Intercourse" for the fiscal year ending June 30, 1940, may be transferred, with the approval of the Director of the Bureau of the Budget, to any other foregoing appropriation or appropriations under such caption for such fiscal year, but no appropriation shall be increased more than 10 per centum thereby: *Provided*, That all such transfers and contemplated transfers shall be set forth in the Budget for the fiscal year 1941.

Interchangeability provision; restriction.

*Proviso.*  
Report in Budget.

#### CONTRIBUTIONS, QUOTAS, AND SO FORTH

For payment of the annual contributions, quotas, and expenses, including loss by exchange in discharge of the obligations of the United States in connection with international commissions, congresses, bureaus, and other objects, in not to exceed the respective amounts, as follows: Cape Spartel and Tangier Light, Coast of Morocco, \$784; International Bureau of Weights and Measures, \$4,342.50; International Bureau of Publication of Customs Tariffs, \$1,318.77; Pan American Union, \$195,566.96, including not to exceed \$20,000 for printing and binding; International Bureau of Permanent Court of Arbitration, \$1,722.57; Bureau of Interparliamentary Union for Promotion of International Arbitration, \$20,000, including not to exceed \$10,000 for the expenses of the American group of the Interparliamentary Union, including personal services in the District of Columbia and elsewhere without regard to the Classification Act of 1923, as amended, stenographic reporting services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (41 U. S. C. 5), traveling expenses, purchase of necessary books, documents, newspapers, periodicals, maps, stationery, official cards, printing and binding, entertainment, and other necessary expenses to be disbursed on vouchers approved by the president and executive secretary of the American group; International Institute of Agriculture at Rome, Italy, \$48,756, including not to exceed \$11,700 for the salary of the American member of the permanent committee (at not more than \$7,500 per annum), compensation of subordinate employees without regard to the Classification Act of 1923, as amended, expenses for the maintenance of the office at Rome, including purchase of necessary books, maps, documents, and newspapers and periodicals (foreign and domestic), printing and binding, allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (5 U. S. C. 118a), for the use of the American member of the permanent committee, and traveling and other necessary expenses, to be expended under the direction of the Secretary of State; Pan American Sanitary Bureau, \$58,522.75; International Office of Public Health, \$3,015.63; Bureau of International Telecommunication Union, Radio Section, \$5,790; Government of Panama, \$250,000; International Hydrographic Bureau, \$5,404; Inter-American Trade-Mark Bureau, \$14,330.20; International Bureau for Protection of Industrial Property, \$1,471.63; Gorgas Memorial Laboratory, \$50,000: *Provided*, That hereafter, notwithstanding the provisions of section 3 of the Act of May 7, 1928 (45 Stat. 491), the report of the operation and work of the laboratory, including the statement of the receipts and expenditures, shall be made to Congress during the first week of each regular session thereof, such report to cover a fiscal-year period ending on June 30 of the calendar year immediately preceding the convening

Contributions, quotas, etc.  
*Post*, p. 1323.

Services in the District.

5 U. S. C. §§ 661-674;  
Supp. IV, §§ 673, 673c.  
R. S. § 3709.  
41 U. S. C. § 5.

International Institute of Agriculture.

Allowances.

46 Stat. 818.  
5 U. S. C. § 118a.

Gorgas Memorial Laboratory.  
*Proviso.*  
Report of operations to Congress.  
45 Stat. 491.

International Technical Committee of Aerial Legal Experts.

R. S. § 3709.  
41 U. S. C. § 5.

International Labor Organization.

Personal services.  
5 U. S. C. §§ 661-674;  
Supp. IV, §§ 673, 673c.

R. S. § 3709.  
41 U. S. C. § 5.

International Council of Scientific Unions, etc.

Total; additional sums, increase in rates of exchange.

Convention for the Promotion of Inter-American Cultural Relations.

51 Stat. 178.

of each such session; American International Institute for the Protection of Childhood, \$2,000; International Statistical Bureau at The Hague, \$2,000; International Map of the World on the Millionth Scale, \$50; International Technical Committee of Aerial Legal Experts, \$6,745, including not to exceed \$6,500 for the expenses of participation by the Government of the United States in the meetings of the International Technical Committee of Aerial Legal Experts and of the commissions established by that committee, including traveling expenses, personal services in the District of Columbia and elsewhere without reference to the Classification Act of 1923, as amended, stenographic and other services by contract if deemed necessary without regard to the provisions of section 3709 of the Revised Statutes (41 U. S. C. 5), rent, purchase of necessary books and documents, printing and binding, official cards, entertainment, and such other expenses as may be authorized by the Secretary of State; Convention Relating to Liquor Traffic in Africa, \$55; International Penal and Penitentiary Commission, \$4,332, including not to exceed \$800 for the necessary expenses of the Commissioner to represent the United States on the Commission at its annual meetings, personal services without regard to the Classification Act of 1923, as amended, printing and binding, traveling expenses, and such other expenses as the Secretary of State may deem necessary; Permanent Association of International Road Congresses, \$588; International Labor Organization, \$168,528.28, including not to exceed \$25,867 for the expenses of participation by the United States in the meetings of the General Conference and of the Governing Body of the International Labor Office and in such regional, industrial, or other special meetings as may be duly called by such Governing Body, including personal services, without reference to the Classification Act of 1923, as amended, in the District of Columbia and elsewhere, stenographic reporting and translating services by contract if deemed necessary without regard to section 3709 of the Revised Statutes (41 U. S. C. 5), rent, traveling expenses, purchase of books, documents, newspapers, periodicals, and charts, stationery, official cards, printing and binding, entertainment, hire, maintenance, and operation of motor-propelled passenger-carrying vehicles, and such other expenses as may be authorized by the Secretary of State; Implementing the Narcotics Convention of 1931, \$10,551.85; International Council of Scientific Unions and Associated Unions, as follows: International Council of Scientific Unions, \$19.30; International Astronomical Union, \$617.60; International Union of Chemistry, \$675; International Union of Geodesy and Geophysics, \$2,316; International Scientific Radio Union, \$154.40; International Union of Physics, \$62.72; International Geographical Union, \$125.44; and International Union of Biological Sciences, \$154.40; in all, \$4,124.86; and Pan American Institute of Geography and History, \$10,000; in all, \$870,000, together with such additional sums, due to increase in rates of exchange as the Secretary of State may determine and certify to the Secretary of the Treasury to be necessary to pay, in foreign currencies, the quotas and contributions required by the several treaties, conventions, or laws establishing the amount of the obligation.

Convention for the Promotion of Inter-American Cultural Relations: For meeting the obligations of the United States under the Convention for the Promotion of Inter-American Cultural Relations between the United States and the other American Republics, signed at Buenos Aires, December 23, 1936, including salaries, traveling expenses, tuition, and allowances for maintenance and living quarters for professors and students in accordance with the provisions of the

said convention, notwithstanding the provisions of any other Act, \$75,000, to be disbursed under the direction of the Secretary of State, who is authorized to transfer to any department or independent establishment of the Government, with the consent of the head thereof, any part of this amount for direct expenditure by such department or establishment for the purposes of this appropriation.

Transfer of funds permitted.

#### INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND MEXICO

**Salaries and expenses:** For expenses of meeting the obligations of the United States under the treaties of 1884, 1889, 1905, 1906, and 1933 between the United States and Mexico, and of compliance with the Act approved August 19, 1935, as amended (49 Stat. 660, 1370), operation and maintenance of the Rio Grande rectification project and of the American dam and canal feature of the Rio Grande canalization project; construction and operation of gaging stations where necessary and their equipment; personal services and rent in the District of Columbia and elsewhere; fees for professional services at rates and in amounts to be determined by the Secretary of State; expenses of attendance at meetings which in the discretion of the Commissioner may be necessary for the efficient discharge of the responsibilities of the Commission (not to exceed \$500); traveling expenses, including transportation of effects; printing and binding; law books and books of reference; subscriptions to foreign and domestic newspapers and periodicals; purchase, exchange, maintenance, repair, and operation of motor-propelled passenger- and freight-carrying vehicles; hire, with or without personal services, of work animals, and animal-drawn and motor-propelled vehicles and equipment; purchase of rubber boots and waders for official use of employees; purchase of ice; drilling and testing of dam sites, by contract if deemed necessary, and purchase in the field of planographs and lithographs and of one special electrically operated typewriter, without regard to section 3709 of the Revised Statutes (41 U. S. C. 5); equipment and such other miscellaneous expenses as the Secretary of State may deem proper, \$193,000.

Salaries and expenses.  
24 Stat. 1011; 26 Stat. 1512; 35 Stat. 1863; 34 Stat. 2953; 48 Stat. 1621; 49 Stat. 660, 1370.

Rio Grande, rectification and canalization projects.

Printing and binding.

Vehicles.

Testing of dam sites.

R. S. § 3709.  
41 U. S. C. § 5.

Public Works projects under Commission.

**Construction, operation, and maintenance, Public Works projects:** For the construction (including surveys and operation and maintenance and protection during construction) of the following projects under the supervision of the International Boundary Commission, United States and Mexico, United States section, including salaries and wages of employees, laborers, and mechanics; fees for professional services at rates and in amounts to be determined by the Secretary of State; travel expenses; rents; construction and operation of gaging stations; purchase (including exchange), maintenance, repair, and operation of motor-propelled passenger- and freight-carrying vehicles; drilling and testing of dam sites, by contract if deemed necessary, and purchase in the field of planographs and lithographs without regard to the provisions of section 3709 of the Revised Statutes (41 U. S. C. 5); hire, with or without personal services, of work animals and animal-drawn and motor-propelled vehicles and equipment; acquisition by donation, purchase, or condemnation, of real and personal property, including expenses of abstracts and certificates of title; transportation of things (including drayage, packing, and crating of personal effects of employees upon change of station for permanent duty not to exceed five thousand pounds in any one case); printing and binding; communication services; equipment, materials and supplies, including purchase of ice, rubber boots, and waders for official use of employees, and such other miscellaneous expenses as the Secretary of State may deem necessary:

Vehicles.

R. S. § 3709.  
41 U. S. C. § 5.

Printing and binding.

Rio Grande recti-  
fication project.

48 Stat. 1621.

Continuance of ap-  
propriation.  
52 Stat. 255.

Lower Rio Grande  
flood-control project.

49 Stat. 660, 1370.

Balances reappro-  
priated.

*Proviso.*  
Approval of title to  
acquired land, etc.

Rio Grande canal-  
ization project.

49 Stat. 961, 1463.

Balances reappro-  
priated.

Fence construction  
along international  
boundary, Arizona.

49 Stat. 660.

*Proviso.*  
Limitation on ex-  
penditure.

**Rio Grande rectification project:** For completion of the rectification of the Rio Grande in the El Paso-Juarez Valley under the convention concluded February 1, 1933, between the United States and Mexico, the funds made available under this head in the Department of State Appropriation Act, 1939, are continued available until June 30, 1940.

**Lower Rio Grande flood-control project:** For the United States portion of the project for flood control on the Lower Rio Grande, as authorized by the Act approved August 19, 1935, as amended (49 Stat. 660, 1370), \$800,000, together with the unexpended balances of the appropriations for this purpose for the fiscal year 1939: *Provided*, That no part of this appropriation for the Lower Rio Grande flood-control project shall be expended for construction on any land, site, or easement until title thereto has been conveyed to the United States by donation and the same has been approved by the Attorney General of the United States.

**Rio Grande canalization project:** For the Rio Grande canalization project as authorized by the Acts approved August 29, 1935 (49 Stat. 961), and June 4, 1936 (49 Stat. 1463), \$500,000; together with the unexpended balances of the appropriations under this head for the fiscal year 1939.

**Fence construction on the boundary, Arizona:** For construction of fence along the international boundary as authorized by the Act of August 19, 1935 (49 Stat. 660), \$25,000: *Provided*, That no part of this appropriation shall be expended for the acquisition of lands or easements for sites for boundary fences except for procurement of abstracts or certificates of title, payment of recording fees, and examination of titles.

#### INTERNATIONAL BOUNDARY COMMISSION, UNITED STATES AND CANADA AND ALASKA AND CANADA

Expenses under  
treaty obligations.

44 Stat. 2102.

Demarcation of  
boundary lines.

To enable the President to perform the obligations of the United States under the treaty between the United States and Great Britain in respect of Canada, signed February 24, 1925; for salaries and expenses, including the salary of the Commissioner and salaries of the necessary engineers, clerks, and other employees for duty at the seat of government and in the field; cost of office equipment and supplies; necessary traveling expenses; commutation of subsistence to employees while on field duty, not to exceed \$4 per day each, but not to exceed \$1.75 per day each when a member of a field party and subsisting in camp; for payment for timber necessarily cut in keeping the boundary line clear, not to exceed \$500; and for all other necessary and reasonable expenses incurred by the United States in maintaining an effective demarcation of the international boundary line between the United States and Canada, and Alaska and Canada under the terms of the treaty aforesaid, including the completion of such remaining work as may be required under the award of the Alaskan Boundary Tribunal and existing treaties between the United States and Great Britain, and including the hire of freight- and passenger-carrying vehicles from temporary field employees, to be disbursed under the direction of the Secretary of State, \$42,000.

#### WATERWAYS TREATY, UNITED STATES AND GREAT BRITAIN: INTERNATIONAL JOINT COMMISSION, UNITED STATES AND GREAT BRITAIN

Salaries and ex-  
penses.

**Salaries and expenses:** For salaries and expenses, including salaries of Commissioners and salaries of clerks and other employees appointed by the Commissioners on the part of the United States, with the approval solely of the Secretary of State; for necessary traveling expenses, and for expenses incident to holding hearings and

conferences at such places in Canada and the United States as shall be determined by the Commission or by the American Commissioners to be necessary, including traveling expense and compensation of necessary witnesses, making necessary transcript of testimony and proceedings; for cost of lawbooks, books of reference and periodicals, office equipment and supplies; and for one-half of all reasonable and necessary joint expenses of the International Joint Commission incurred under the terms of the treaty between the United States and Great Britain concerning the use of boundary waters between the United States and Canada, and for other purposes, signed January 11, 1909; \$37,500, to be disbursed under the direction of the Secretary of State: *Provided*, That the salaries of the American Commissioners shall not exceed \$7,500 each per annum: *Provided further*, That traveling expenses of the Commissioners, secretary, and necessary employees shall be allowed in accordance with the provisions of the Subsistence Expense Act of 1926, as amended (5 U. S. C. 821-833).

Special and technical investigations: For an additional amount for necessary special or technical investigations in connection with matters which fall within the scope of the jurisdiction of the International Joint Commission, including personal services in the District of Columbia or elsewhere, traveling expenses, procurement of technical and scientific equipment, and the purchase, exchange, hire, maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles, \$47,000, to be disbursed under the direction of the Secretary of State, who is authorized to transfer to any department or independent establishment of the Government, with the consent of the head thereof, any part of this amount for direct expenditure by such department or establishment for the purposes of this appropriation.

Joint expenses.

36 Stat. 2448.

*Provisos.*  
Salary limitation.  
Traveling expenses.

44 Stat. 698.  
5 U. S. C. §§ 821-833.  
Special and technical investigations.

Personal services.

Transfer of funds.

#### INTERNATIONAL FISHERIES COMMISSION

Salaries and expenses: For the share of the United States of the expenses of the International Fisheries Commission, under the convention between the United States and Canada, concluded January 29, 1937, including salaries of two members and other employees of the Commission, traveling expenses, charter of vessels, purchase of books, periodicals, furniture, and scientific instruments, contingent expenses, rent in the District of Columbia, and such other expenses in the United States and elsewhere as the Secretary of State may deem proper, to be disbursed under the direction of the Secretary of State, \$25,000: *Provided*, That not to exceed \$750 shall be expended by the Commissioners in attending meetings of the Commission.

Salaries and expenses.

50 Stat. 1351.

Rent.

*Proviso.*  
Attendance at meetings.

#### INTERNATIONAL PACIFIC SALMON FISHERIES COMMISSION

Salaries and expenses: For the share of the United States of the expenses of the International Pacific Salmon Fisheries Commission, under the convention between the United States and Canada, concluded May 26, 1930, including personal services; traveling expenses; maintenance, repair, and operation of motor-propelled passenger-carrying vehicles; charter of vessels; purchase of books, periodicals, furniture, and scientific instruments; contingent expenses; rent in the District of Columbia and elsewhere; and such other expenses in the United States and elsewhere as the Secretary of State may deem proper, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, to be expended under the direction of the Secretary of State, \$40,000.

Salaries and expenses.

50 Stat. 1355.

Reimbursement of  
other appropriations.



MISCELLANEOUS INTERNATIONAL CONGRESSES, CONFERENCES, AND COMMISSIONS

American Scientific Congress, Eighth.  
*Post*, p. 1324.

52 Stat. 675.

International Union of Geodesy and Geophysics, Seventh General Assembly.

52 Stat. 409.

International Seed Testing Congress, Ninth.

52 Stat. 210.

Delaware Valley Tercentenary Commission.  
Balance reappropriated.

50 Stat. 272.

52 Stat. 1148.

**Eighth American Scientific Congress:** For the expenses of organizing and holding the Eighth American Scientific Congress in the United States, as authorized by and in accordance with the Act approved June 13, 1938 (52 Stat. 675), \$85,000, to remain available until June 30, 1941.

**Seventh General Assembly of the International Union of Geodesy and Geophysics:** For the expenses of organizing and holding the Seventh General Assembly of the International Union of Geodesy and Geophysics in the United States, as authorized by and in accordance with the Act approved May 20, 1938 (52 Stat. 409), \$4,500.

**Ninth International Seed Testing Congress:** For the expenses of official entertainment and other expenses authorized by the Secretary of State in connection with holding the Ninth International Seed Testing Congress in the United States, as authorized by and in accordance with the Act approved April 8, 1938 (52 Stat. 201), \$500.

**Delaware Valley Tercentenary Commission:** The unexpended balance of the appropriation of \$10,000 for the United States Delaware Valley Tercentenary Commission, contained in the "Department of State Appropriation Act, 1938", and continued available for the fiscal year 1939, is hereby continued available during the fiscal year 1940 for expenditure under the same conditions set forth under this head in the "Second Deficiency Appropriation Act, 1938".

PAYMENT TO GOVERNMENT OF NICARAGUA.

Payment to Government of Nicaragua.  
*Post*, p. 1574.

Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.

Rental restriction.

Assignments as inspectors, etc., of buildings abroad.

Couriers, traveling allowance.

Short title.

**Payment to the Government of Nicaragua:** For payment to the Government of Nicaragua in pursuance of Article II of the Agreement of April 14, 1938, providing adjustment of certain accounts and refunds of income taxes, \$72,000.

Section 3709 of the Revised Statutes (41 U. S. C. 5) shall not apply to any purchase by or service rendered for the Department of State when the aggregate amount involved does not exceed \$100, or, with respect to articles, materials, or supplies for use outside the United States, \$300; or when the purchase or service relates to the packing of personal and household effects of Diplomatic, Consular, and Foreign Service officers and clerks for foreign shipment.

Unless expressly authorized, no portion of the sums appropriated in title I of this Act shall be expended for rent or rental allowances in the District of Columbia or elsewhere in the United States.

The President, in his discretion, may assign officers of the Army or Navy or officers or employees of the Treasury Department for duty as inspectors of buildings owned or occupied by the United States in foreign countries, or as inspectors or supervisors of buildings under construction or repair by or for the United States in foreign countries, under the jurisdiction of the Department of State, or for duty as couriers of the Department of State, and when so assigned they may receive the same traveling expenses as are authorized for officers of the Foreign Service, payable from the applicable appropriations of the Department of State.

This title may be cited as the "Department of State Appropriation Act, 1940".

TITLE II—DEPARTMENT OF JUSTICE

OFFICE OF THE ATTORNEY GENERAL

Department of Justice Appropriation Act, 1940.

Salaries, designated offices.  
*Post*, p. 1337.

**For personal services in the District of Columbia as follows:**  
**For the Office of the Attorney General, \$60,000.**  
**For the Office of the Solicitor General, \$60,000.**

For the Office of the Assistant Solicitor General, \$47,300.

For the Office of Assistant to the Attorney General, \$80,000.

For the Administrative Division, \$660,000.

For the Tax Division, \$567,500.

For the Criminal Division, \$210,000, of which sum not to exceed \$50,000 may be available for the investigation and prosecution of alleged violations of civil liberties.

Investigation, etc., of alleged violations of civil liberties.

For the Claims Division, \$314,220.

For the Office of Pardon Attorney, \$25,500.

For the Anti-Trust Division, \$9,000.

Total, personal services, Office of the Attorney General, \$2,033,520.

Not to exceed 5 per centum of the foregoing amounts shall be available interchangeably for expenditures in the various offices and divisions named, but not more than 5 per centum shall be added to the amount appropriated for any one of said offices or divisions and any interchange of appropriations hereunder shall be reported to Congress in the annual Budget.

Interchangeability of amounts.

Report in Budget.

Traveling expenses: For all necessary traveling expenses under the Department of Justice and the Judiciary, including traveling expenses of probation officers and their clerks but not including traveling expenses otherwise payable under any appropriations for "United States Supreme Court", "United States Court of Customs and Patent Appeals", "United States Customs Court", "Court of Claims", "United States Court for China", "Federal Bureau of Investigation", "Salaries and expenses of marshals", "Fees of jurors and witnesses", and "Penal and correctional institutions" (except as otherwise hereinbefore provided), \$937,500: *Provided*, That this sum shall be available, in an amount not to exceed \$7,500, for expenses of attendance at meetings concerned with the work of the Bureau of Prisons and the Probation Service when incurred on the written authorization of the Attorney General.

Traveling expenses.

Exceptions.

*Proviso.*  
Attendance at meetings, Bureau of Prisons and Probation Service.

Contingent expenses: For stationery, furniture and repairs, floor coverings, file holders and cases; miscellaneous expenditures, including telegraphing and telephones, and teletype rentals and tolls, postage, labor, typewriters and adding machines and the exchange thereof and repairs thereto, streetcar fares, newspapers not exceeding \$350, press clippings, and other necessities ordered by the Attorney General; official transportation, including the repair, maintenance, and operation of four motor-driven passenger cars (one for the Attorney General and three for general use of the Department), delivery trucks, and motorcycle, to be used only for official purposes; purchase, including exchange, of three passenger-carrying automobiles for general use of the Department; purchase of lawbooks, books of reference, and periodicals, including the exchange thereof; examination of estimates of appropriation in the field; and miscellaneous and emergency expenses authorized and approved by the Attorney General, to be expended at his discretion, \$190,000: *Provided*, That not to exceed \$2 per volume shall be paid for the current and future volumes of the United States Code, Annotated.

Contingent expenses.

Vehicles.

*Proviso.*  
United States Code, Annotated; price limitation.

Printing and binding: For printing and binding for the Department of Justice and the courts of the United States, \$390,000.

Printing and binding.

#### FEDERAL BUREAU OF INVESTIGATION

Salaries and expenses, detection and prosecution of crimes: For the detection and prosecution of crimes against the United States; for the protection of the person of the President of the United States; the acquisition, collection, classification, and preservation of identification and other records and their exchange with the duly authorized officials of the Federal Government, of States, cities, and

Detection and prosecution of crimes.

Identification, etc., records.

Investigations, matters under control of Departments of Justice and State.	other institutions; for such other investigations regarding official matters under the control of the Department of Justice and the Department of State as may be directed by the Attorney General; purchase and exchange not to exceed \$50,000, and hire, maintenance, upkeep, and operation of motor-propelled passenger-carrying vehicles, to be used only on official business; maintenance, upkeep, and operation, of not more than four armored automobiles; firearms and ammunition; such stationery, supplies, floor coverings, equipment, and telegraph, teletype, and telephone service at the seat of government or elsewhere as the Attorney General may direct; not to exceed \$10,000 for taxicab hire to be used exclusively for the purposes set forth in this paragraph and to be expended under the direction of the Attorney General; traveling expenses, including expenses, in an amount not to exceed \$4,500, of attendance at meetings concerned with the work of such Bureau when authorized in writing by the Attorney General; not to exceed \$1,500 for membership in the International Criminal Police Commission; payment of rewards when specifically authorized by the Attorney General for information leading to the apprehension of fugitives from justice, including not to exceed \$20,000 to meet unforeseen emergencies of a confidential character, to be expended under the direction of the Attorney General, who shall make a certificate of the amount of such expenditure as he may think it advisable not to specify, and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended; and including not to exceed \$1,872,480 for personal services in the District of Columbia; \$7,000,000: <i>Provided</i> , That section 3709 of the Revised Statutes (41 U. S. C. 5) shall not be construed to apply to any purchase or service rendered for the Federal Bureau of Investigation in the field when the aggregate amount involved does not exceed \$50: <i>Provided further</i> , That none of the funds appropriated herein under the Federal Bureau of Investigation shall be used to pay the compensation of any civil-service employee, except finger-print classifiers.
Vehicles.	
Stationery, etc.	
Traveling expenses.	
Rewards for information.	
Emergencies.	
Personal services.	
<i>Provisos.</i> Minor purchases. R. S. § 3709. 41 U. S. C. § 5.	
Use of funds.	
Emergencies.	Salaries and expenses for certain emergencies: For an additional amount for salaries and expenses, including the same purposes and under the same conditions specified in the preceding paragraph, \$300,000, to be held as a reserve for emergencies arising in connection with kidnaping, extortion, bank robbery, and espionage cases, and to be released for expenditure in such amounts and at such times as the Attorney General may determine.

## BUREAU OF PRISONS

Salaries.	Salaries: For salaries in the District of Columbia and elsewhere in connection with the supervision of the maintenance and care of United States prisoners, \$295,000.
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## MISCELLANEOUS OBJECTS, DEPARTMENT OF JUSTICE

Conduct of customs cases.	Conduct of customs cases: Assistant Attorney General, special attorneys and counselors at law in the conduct of customs cases, to be employed and their compensation fixed by the Attorney General; necessary clerical assistance and other employees at the seat of government and elsewhere, to be employed and their compensation fixed by the Attorney General, including experts at such rates of compensation as may be authorized or approved by the Attorney General; expenses of procuring evidence, supplies, Supreme Court Reports and Digests, and Federal Reporter and Digests, and other miscellaneous and incidental expenses, to be expended under the direction of the Attorney General; in all, \$128,500.
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Enforcement of antitrust and kindred laws: For the enforcement of antitrust and kindred laws, including experts at such rates of compensation as may be authorized or approved by the Attorney General except that the compensation paid to any person employed hereunder shall not exceed the rate of \$10,000 per annum, including personal services in the District of Columbia, \$1,300,000: *Provided*, That none of this appropriation shall be expended for the establishment and maintenance of permanent regional offices of the Antitrust Division: *Provided further*, That any person hereafter appointed at a salary of \$7,500 or more and paid from this appropriation shall be appointed by the President, by and with the advice and consent of the Senate.

Bond and Spirits Division: For salaries and expenses in connection with the preliminary determination of civil liabilities arising under acts pursuant to the eighteenth amendment before repeal; the preliminary determination of compromises and petitions for remission of forfeitures arising out of current internal-revenue liquor laws; the supervision of the collection on forfeited bail bonds and judgments and fines imposed in criminal cases; personal services in the District of Columbia and elsewhere, and such other expenditures (not exceeding \$50 for any one item) as may be necessary, \$195,000: *Provided*, That no part of this appropriation shall be used to compensate any person not appointed pursuant to civil-service laws and regulations, but this limitation shall not apply to attorneys or the head of the division.

Examination of judicial offices: For the investigation of the official acts, records, and accounts of marshals, attorneys, clerks of the United States courts and Territorial courts, probation officers, and United States commissioners, for which purpose all the official papers, records, and dockets of said officers, without exception, shall be examined by the agents of the Attorney General at any time; and also the official acts, records, and accounts of referees and trustees of such courts; in all, \$51,300, to be expended under the direction of the Attorney General.

Veterans Insurance Litigation Division: For salaries and expenses incident to the defense of suits against the United States under section 19, of the World War Veterans' Act, 1924, approved June 7, 1924, as amended and supplemented, or the compromise of the same under the Independent Offices Appropriation Act, 1934, approved June 16, 1933, including office expenses, lawbooks, supplies, equipment, stenographic reporting services by contract or otherwise, including notarial fees or like services and stenographic work in taking depositions at such rates of compensation as may be authorized or approved by the Attorney General, printing and binding, the employment of experts at such rates of compensation as may be authorized or approved by the Attorney General, and personal services in the District of Columbia and elsewhere, \$485,000.

Salaries and expenses, Lands Division: For personal services in the District of Columbia and elsewhere, and for other necessary expenses, including employment of experts at such rates of compensation as may be authorized or approved by the Attorney General, purchase and exchange of typewriters, adding machines and other labor-saving devices, stenographic reporting services by contract or otherwise, and notarial fees or like services, \$1,700,000: *Provided*, That all unobligated balances, at the close of business on June 30, 1939, of funds transferred to the Department of Justice for payment of salaries and other expenses necessary for the examination of title and prosecution of condemnation proceedings with respect to the acquisition of lands for other departments, independent establish-

Enforcement of antitrust, etc., laws.

Salary restriction.

*Provisos.*  
Restriction on establishing permanent regional offices.  
Senate approval of appointments at \$7,500 or more.

Bond and Spirits Division.

Personal services.

*Proviso.*  
Appointments pursuant to civil-service laws; exceptions.

Examination of judicial offices.

Veterans Insurance Litigation Division.

43 Stat. 612; 48 Stat. 302.  
38 U. S. C. § 445.

Lands Division.

*Proviso.*  
Transfer of unobligated balances.

ments, or agencies shall be transferred as of said date to the surplus fund of the Treasury, and no funds appropriated to any other department, establishment, or agency shall thereafter be available for transfer to the Department of Justice for said purpose.

District attorneys,  
etc.

Salaries and expenses of district attorneys, and so forth: For salaries and expenses of United States district attorneys and their regular assistants, clerks, and other employees, including the office expenses of United States district attorneys in Alaska, and for salaries of regularly appointed clerks to United States district attorneys for services rendered during vacancy in the office of the United States district attorney, \$3,180,000.

Special attorneys,  
etc.

Salaries and expenses of special attorneys, and so forth: For compensation of special attorneys and assistants to the Attorney General and to United States district attorneys employed by the Attorney General to aid in special cases, and for payment of foreign counsel employed by the Attorney General in special cases, \$650,000, no part of which, except for payment of foreign counsel, shall be used to pay the compensation of any persons except attorneys duly licensed and authorized to practice under the laws of any State, Territory, or the District of Columbia: *Provided*, That the amount paid as compensation out of the funds herein appropriated to any person employed hereunder shall not exceed the rate of \$10,000 per annum: *Provided further*, That reports be submitted to the Congress on the 1st day of July and January showing the names of the persons employed hereunder, the annual rate of compensation or amount of any fee paid to each together with a description of their duties.

Foreign counsel.

*Proviso.*  
Salary restriction.

Reports of personnel  
to be submitted to  
Congress.

#### MARSHALS AND OTHER EXPENSES OF UNITED STATES COURTS

Salaries and ex-  
penses.

Services in Alaska.

Vehicles.

*Proviso.*  
Transportation al-  
lowance.

Salaries and expenses of marshals, and so forth: For salaries, fees, and expenses of United States marshals and their deputies, including services rendered in behalf of the United States or otherwise; services in Alaska in collecting evidence for the United States when so specifically directed by the Attorney General; traveling expenses; purchase, when authorized by the Attorney General, of ten motor-propelled passenger-carrying vans at not to exceed \$2,000 each; and maintenance, alteration, repair, and operation of motor-propelled passenger-carrying vehicles used in connection with the transaction of the official business of the United States marshals; \$3,887,500: *Provided*, That United States marshals and their deputies may be allowed, in lieu of actual expenses of transportation, not to exceed 3 cents per mile for the use of their own automobiles for transportation when traveling on official business within the limits of their official station.

#### PENAL AND CORRECTIONAL INSTITUTIONS

Salaries and ex-  
penses.

Attendance at meet-  
ings.

Salaries and expenses: For every expenditure authorized by law or by orders and regulations made in pursuance of law, not otherwise provided for, requisite for and incident to the support of prisoners, and the maintenance and operation of Federal penal and correctional institutions; expenses of interment or transporting remains of deceased inmates to their homes in the United States; purchase of not to exceed twenty passenger-carrying automobiles; purchase of two busses in an aggregate amount not exceeding \$14,000; maintenance and repair of passenger-carrying automobiles; expenses of attendance at meetings concerned with the work of the Prison Service when authorized in writing by the Attorney General; traveling expenses of members of advisory boards authorized by law incurred in the discharge of their official duties; packing, crating, drayage, and transportation, not to exceed five thousand pounds in any one case of

household effects of employees, whether shipped by railroad or by motortruck, when transferred from one official station to another for permanent duty; uniforms for the guard force; newspapers, books, and periodicals; firearms and ammunition; purchase and exchange of farm products and livestock; under the following heads: *Provided*, That any part of the appropriations under this heading used for payment of salaries of personnel employed in the operation of prison commissaries shall be reimbursed from commissary earnings, and such reimbursement shall be in addition to the amounts appropriated herein.

*Proviso.*  
Prison commissaries.

Penitentiaries and reformatories: For maintenance and operation of United States penitentiaries and reformatories, including not to exceed \$3,683,885 for salaries and wages of all officers and employees, \$7,625,000.

Penitentiaries and reformatories.

Medical Center for Federal Prisoners: For maintenance and operation of the Medical Center for Federal Prisoners at Springfield, Missouri, including not to exceed \$230,000 for salaries and wages of all officers and employees, \$540,000.

Medical Center for Federal Prisoners.

Jails and correctional institutions: For maintenance and operation of Federal jails and correctional institutions, including not to exceed \$1,085,480 for salaries and wages of all officers and employees, \$2,405,000: *Provided*, That not to exceed \$25,000 shall be available for the acquisition of approximately one hundred acres of land adjoining the Federal Correctional Institution at Milan, Michigan.

Jails and correctional institutions.

*Proviso.*  
Acquisition of land, Milan, Mich.

Prison camps: For the construction and repair of buildings at prison camps and for maintenance and operation of prison camps, \$588,000.

Prison camps.

Not to exceed 5 per centum of any of the foregoing appropriations under the general heading "Penal and Correctional Institutions" may be transferred, with the approval of the Director of the Bureau of the Budget, to any appropriation or appropriations from which transfers are authorized to be made by this paragraph, but no appropriation shall be increased by more than 5 per centum thereby and no transfer shall be effected for the payment of personnel in any such institution.

Transfer of appropriations.

Medical and hospital service: For medical relief for inmates of penal and correctional institutions and appliances necessary for patients including personal services in the District of Columbia and elsewhere; and furnishing and laundering of uniforms and other distinctive wearing apparel necessary for the employees in the performance of their official duties, \$980,000: *Provided*, That there may be transferred to the appropriation "Pay, and so forth, commissioned officers, Public Health Service", such amount as may be necessary for the pay of not to exceed thirty officers assigned to the Federal Prison Service, and to other appropriations of the Public Health Service such amounts as may be necessary, in the discretion of the Attorney General, for direct expenditure by that Service for the other objects mentioned above.

Medical and hospital service.

*Proviso.*  
Public Health Service assignments.  
*Ante*, p. 666.

Construction and repair: For construction of buildings and development of island area at the United States Penitentiary, McNeil Island, Washington, including the purchase and installation of machinery and equipment and all expenses incident thereto, \$48,600, to be available immediately and to remain available until expended and to be expended so as to give the maximum amount of employment to inmates of the institution: *Provided*, That the ultimate cost of the project for the development of the island area shall not exceed \$800,000.

McNeil Island, Wash., construction, etc.

Employment of inmates.  
*Proviso.*  
Cost limitation.

Buildings and equipment: For completing construction, remodeling, and equipping necessary buildings, purchase and installation of machinery and equipment, and all necessary expenses incident

Dallas, Tex., buildings and equipment.

thereto, for establishment of one new penal or correctional institution at Dallas, Texas, pursuant to the Act entitled "An Act to reorganize the administration of Federal prisons; to authorize the Attorney General to contract for the care of United States prisoners; to establish Federal jails, and for other purposes", approved May 14, 1930, to be expended under the direction of the Attorney General by contract or purchase of material and hire of labor and services and utilization of labor of United States prisoners as the Attorney General may direct, to be available immediately and to remain available until expended, \$850,000.

46 Stat. 325.  
18 U. S. C. § 753.

National Training  
School for Boys, D. C.  
Salaries and ex-  
penses.

National Training School for Boys, Washington, District of Columbia, salaries and expenses: For the National Training School for Boys, Washington, District of Columbia, including expenses of a suitable attendant to accompany the remains of deceased inmates to their homes for burial, the purchase and exchange of one passenger-carrying automobile, and not to exceed \$181,000 for salaries and wages of all officers and employees, \$307,300.

Buildings and  
equipment.

Buildings and equipment, National Training School for Boys, Washington, District of Columbia: For alterations of and repairs to buildings, including not to exceed \$150,000 for construction of a building to provide dining rooms, kitchens, and other domestic facilities, and including the purchase and installation of machinery and equipment, and all expenses incident thereto, to be expended so as to give the maximum amount of employment to inmates of the institution, \$208,700.

Probation system,  
U. S. courts.

Probation system, United States courts: For salaries and expenses of probation officers, as authorized by the Act entitled "An Act to amend the Act of March 4, 1925, chapter 521, and for other purposes", approved June 6, 1930 (18 U. S. C. 726), \$776,000: *Provided*, That no part of this appropriation shall be used to defray the salary or expenses of any probation officer whose work fails to comply with the official orders, regulations, and probation standards promulgated by the Attorney General: *Provided further*, That no funds herein appropriated shall be used to defray the salary or expenses of any probation officer unless the district judge shall have so far as possible required the appointee to conform with the qualifications prescribed by the Attorney General: *Provided further*, That nothing herein contained shall be construed to abridge the right of the district judges to appoint probation officers, or to make such orders as may be necessary to govern probation officers in their own courts: *Provided further*, That United States probation officers may be allowed, in lieu of actual expenses of transportation, not to exceed 3 cents per mile for the use of their own automobiles for transportation when traveling on official business within the city limits of their official station.

46 Stat. 503.  
18 U. S. C. § 726.  
*Prorisos.*  
Probation officer  
failing to qualify, re-  
striction.  
*Post*, p. 1225.  
Qualifications of ap-  
pointees.

Right of district  
judges to appoint pro-  
bation officers in their  
own courts.

Transportation al-  
lowance.

Support of U. S.  
prisoners in non-Fed-  
eral institutions and  
in Alaska.

Support of United States prisoners: For support of United States prisoners in non-Federal institutions and in the Territory of Alaska, including necessary clothing and medical aid, discharge gratuities provided by law, and transportation to place of conviction or place of bona fide residence in the United States, or such other place within the United States as may be authorized by the Attorney General; and including rent, repair, alteration, and maintenance of buildings and the maintenance of prisoners therein, occupied under authority of sections 4 and 5 of the Act of May 14, 1930 (18 U. S. C. 753c, 753d); support of prisoners becoming insane during imprisonment and who continue insane after expiration of sentence, who have no relatives or friends to whom they can be sent; shipping remains of deceased prisoners to their relatives or friends in the United States and inter-

46 Stat. 326.  
18 U. S. C. §§ 753c,  
753d.

ment of deceased prisoners whose remains are unclaimed; expenses incurred in identifying, pursuing, and returning escaped prisoners and for rewards for their recapture; and for repairs, betterments, and improvements of United States jails, including sidewalks, \$1,550,000.

## JUDICIAL

### UNITED STATES SUPREME COURT

**Salaries:** For the Chief Justice and eight Associate Justices; Reporter of the Court; and all other officers and employees, whose compensation shall be fixed by the Court, except as otherwise provided by law, and who may be employed and assigned by the Chief Justice to any office or work of the Court, \$445,000.

**Printing and binding:** For printing and binding for the Supreme Court of the United States, \$23,000, to be expended as required without allotment by quarters, and to be executed by such printer as the Court may designate.

**Miscellaneous expenses:** For miscellaneous expenses of the Supreme Court of the United States, to be expended as the Chief Justice may approve, \$25,000.

For the purchase of books and periodicals for the Supreme Court, to be a part of the Library of Congress, and purchased by the Marshal of the Supreme Court, under the direction of the Chief Justice, \$10,000.

**Structural and mechanical care of the building and grounds:** For such expenditures as may be necessary to enable the Architect of the Capitol to carry out the duties imposed upon him by the Act approved May 7, 1934 (40 U. S. C. 13a-13d), including improvements, maintenance, repairs, equipment, supplies, materials, and appurtenances; special clothing for workmen; purchase of waterproof wearing apparel; personal and other services, and for snow removal by hire of men and equipment or under contract without compliance with sections 3709 and 3744 of the Revised Statutes (41 U. S. C. 5, 16), \$62,500.

Salaries.

Printing and binding.

Miscellaneous expenses.

Books and periodicals.

Care of building and grounds.

48 Stat. 668.  
40 U. S. C. §§ 13a-13d.

R. S. §§ 3709, 3744.  
41 U. S. C. §§ 5, 16.

### UNITED STATES COURTS FOR THE DISTRICT OF COLUMBIA

Sixty per centum of the expenditures for the District Court of the United States for the District of Columbia from all appropriations under this title and 30 per centum of the expenditures for the United States Court of Appeals for the District of Columbia from all appropriations under this title shall be reimbursed to the United States from any funds in the Treasury to the credit of the District of Columbia.

**Repairs and improvements, District Court of the United States for the District of Columbia:** For repairs and improvements to the courthouse, including repair and maintenance of the mechanical equipment, and for labor and material and every item incident thereto, including the purchase and installation of venetian blinds, \$47,000, to be expended under the direction of the Architect of the Capitol.

**Repairs and improvements, United States Court of Appeals for the District of Columbia:** For repairs and improvements to the United States Court of Appeals Building, including repair and maintenance of the mechanical equipment, and for labor and material and every item incident thereto, including the purchase and installation of venetian blinds, \$4,500, to be expended under the direction of the Architect of the Capitol.

Division of expenditures.

Courthouse, repairs and improvements.

U. S. Court of Appeals Building, D. C., repairs and improvements.



## COURT OF CUSTOMS AND PATENT APPEALS

**Salaries.** Salaries: Presiding judge and four associate judges and all other officers and employees of the court, \$105,780.

**Contingent expenses.** Contingent expenses: For books and periodicals, including their exchange; stationery, supplies, traveling expenses; drugs, chemicals, cleansers, furniture; and for such other miscellaneous expenses as may be approved by the presiding judge, \$3,000.

**Printing and binding.** Printing and binding: For printing and binding, \$7,000.

## UNITED STATES CUSTOMS COURT

**Salaries.** Salaries: Presiding judge and eight judges; and all other officers and employees of the court, \$234,600.

**Contingent expenses.** Contingent expenses: For books and periodicals, including their exchange; stationery, supplies, traveling expenses; and for such other miscellaneous expenses as may be approved by the presiding judge, \$14,000.

**Printing and binding.** Printing and binding: For printing and binding, \$1,000.

## COURT OF CLAIMS

**Salaries.** Salaries: Chief justice and four judges; chief clerk at not exceeding \$6,500; auditor at not exceeding \$5,000; and all other officers and employees of the court, \$122,160.

**Contingent expenses.** Contingent expenses: For stationery, court library, repairs, fuel, electric light, and other miscellaneous expenses, \$11,560.

**Printing and binding.** Printing and binding: For printing and binding, \$25,500.

**Commissioners, salaries and expenses.** Salaries and expenses of commissioners: For salaries of seven regular commissioners, and for traveling expenses, compensation of stenographers authorized by the court, and for stenographic and other fees and charges necessary in the taking of testimony and in the performance of the duties as authorized by the Act entitled "An Act amending section 2 and repealing section 3 of the Act approved February 24, 1925 (28 U. S. C. 269, 270), entitled 'An Act to authorize the appointment of commissioners by the Court of Claims and to prescribe their powers and compensation', and for other purposes", approved June 23, 1930 (28 U. S. C. 270), \$75,500.

**Repairs, furnishings, etc.** Repairs, furnishings, and so forth: For necessary repairs, furnishings, and improvements to the Court of Claims buildings, to be expended under the supervision of the Architect of the Capitol, \$8,000.

46 Stat. 799.  
28 U. S. C. §§ 269,  
270.

## TERRITORIAL COURTS

**Hawaii, salaries.** Hawaii: For salaries of the chief justice and two associate justices of the Supreme Court of the Territory of Hawaii, of judges of the circuit courts in Hawaii, and of judges retired under the Act of May 31, 1938, \$103,500.

## DISTRICT COURT, PANAMA CANAL ZONE

**Salaries.** Salaries: For salaries of the officials and employees of the District Court of the United States for the Panama Canal Zone, \$49,400.

## UNITED STATES COURT FOR CHINA

**Salaries and expenses.** Salaries and expenses: For salaries of the judge, district attorney, and other officers and employees of the United States Court for China; allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (5 U. S. C. 118a), not to exceed \$1,700 for any one person; court expenses, including reference and lawbooks, printing and binding, ice and drinking water for office purposes, traveling expenses of officers and employees of the court, and, under such regulations as the Attorney General may

46 Stat. 818.  
5 U. S. C. § 118a.

Traveling expenses.

prescribe, of their families and effects, in going to and returning from their posts; preparation and transportation of remains of officers and employees who may die abroad or in transit while in the discharge of their official duties to their former homes in the United States, or to a place not more distant for interment and for the ordinary expenses of such interment; including travel expenses of officers and employees of the court and of their dependents, while en route to or from places of temporary refuge in time of war, political disturbance, earthquake, epidemic, or similar emergency; the expense of maintaining in China American convicts and persons declared insane by the court, rent of quarters for prisoners, ice and drinking water for prison purposes, including wages of prison keepers, and the expense of keeping, feeding, and transporting prisoners and persons declared insane by the court, \$47,600.

Bringing home remains from abroad, etc.

Maintenance of prisoners and insane.

#### SALARIES OF JUDGES

Salaries of judges: For salaries of fifty-five circuit judges; one hundred and eighty-nine district judges (including two in the Territory of Hawaii, one in the Territory of Puerto Rico, four in the Territory of Alaska, and one in the Virgin Islands); and judges retired under section 260 of the Judicial Code, as amended, and section 518 of the Tariff Act of 1930; in all, \$2,950,000: *Provided*, That this appropriation shall be available for the salaries of all United States justices and circuit and district judges lawfully entitled thereto, whether active or retired.

Salaries of judges.

Retired judges.  
28 U. S. C. § 375.  
46 Stat. 737.  
19 U. S. C. § 1518.  
*Proviso.*  
Availability.

Salaries and expenses, clerks of courts: For salaries of clerks of United States circuit courts of appeals and United States district courts, their deputies, and other assistants, and expenses of conducting their respective offices, \$2,330,000.

Clerks of courts, etc.

Fees of commissioners: For fees of the United States commissioners and other committing magistrates acting under section 1014, Revised Statutes (18 U. S. C. 591), \$300,000.

Commissioners, fees.  
R. S. § 1014.  
18 U. S. C. § 591.

Fees of jurors and witnesses: For mileage and per diems of jurors; for mileage and per diems of witnesses and for per diems in lieu of subsistence; and for payment of the expenses of witnesses, as provided by section 850, Revised Statutes (28 U. S. C. 604), including the expenses, mileage, and per diems of witnesses on behalf of the Government before the United States Customs Court, such payments to be made on the certification of the attorney for the United States and to be conclusive as provided by section 846, Revised Statutes (28 U. S. C. 577), \$3,480,000: *Provided*, That not to exceed \$25,000 of this amount shall be available for such compensation and expenses of witnesses or informants as may be authorized or approved by the Attorney General, which approval shall be conclusive: *Provided further*, That no part of the sum herein appropriated shall be used to pay any witness more than one attendance fee for any one calendar day, which fee shall not exceed \$1.50.

Jurors and witnesses, fees, mileage, per diems.

R. S. § 850.  
28 U. S. C. § 604.

R. S. § 846.  
28 U. S. C. § 577.  
*Provisos.*  
Authorization by Attorney General.

Limitation on attendance fee.

Salaries and expenses of bailiffs, and so forth: For bailiffs, not exceeding three bailiffs in each court, except in the southern district of New York and the northern district of Illinois; meals and lodging for jurors in United States cases, and of bailiffs in attendance upon the same, when ordered by the court, and meals and lodging for jurors in Alaska, as provided by section 193, title II, of the Act of June 6, 1900 (28 U. S. C. 9, 557–570, 595, 596), and compensation for jury commissioners, \$5 per day, not exceeding three days for any one term of court, \$320,000: *Provided*, That the compensation of jury commissioners for the District of Columbia shall conform to the provisions of title 18, chapter 10, section 341, of the Code of the District of Columbia, but such compensation shall not exceed \$250 per annum: *Provided further*, That, excepting in the case of bailiffs

Bailiffs, etc.

Jury expenses.

Alaska.

31 Stat. 362.  
28 U. S. C. §§ 9, 557–570, 595, 596.  
Jury commissioners.  
*Provisos.*  
Compensation, D. C., to conform to D. C. Code.  
18 D. C. Code § 341.

Per diem restriction.

Use of funds limited.	in charge of juries over Sundays and holidays, no per diem shall be paid to any bailiff unless the judge is present and presiding in court or present in chambers: <i>Provided further</i> , That none of this appropriation shall be used for the pay of bailiffs when deputy marshals or marshals are available for the duties ordinarily executed by bailiffs, the fact of unavailability to be determined by the certificate of the marshal.
Miscellaneous salaries.	Miscellaneous salaries: For salaries of all officials and employees of the Federal judiciary, not otherwise specifically provided for, \$890,000: <i>Provided</i> , That the maximum salary paid to any stenographer or law clerk to any circuit or district judge shall not exceed \$2,500 per annum, but this limitation shall not operate to reduce the compensation of any stenographer now employed: <i>Provided further</i> , That the foregoing proviso shall not be held to apply to the employment of a person possessing the dual qualifications of a stenographer and a licensed attorney who acts as a stenographer-law clerk, but the maximum salary of any such person so employed shall not exceed \$3,600 per annum: <i>Provided further</i> , That the salary of not more than one employee for any one district judge shall be paid from this appropriation: <i>Provided further</i> , That if any United States District Judge certifies to the Senior Judge of the Circuit Court of Appeals having jurisdiction over his district that he is unable to secure a law clerk who is a competent stenographer residing within his district then the limitations contained in the two provisos immediately preceding shall not apply.
<i>Provisos.</i> Stenographers or law clerks, salary limitation.	
Persons with dual qualifications, exception.	
Limitation.	
Exception.	
Miscellaneous expenses.	Miscellaneous expenses (other than salaries): For such miscellaneous expenses as may be authorized or approved by the Attorney General, for the United States courts and their officers, including experts, and notarial fees or like services and stenographic work in taking depositions, at such rates of compensation as may be authorized or approved by the Attorney General, so much as may be necessary in the discretion of the Attorney General for such expenses in the District of Alaska, the Court of Claims, and in courts other than Federal courts; patent applications and contested proceedings involving inventions; rent of rooms for United States courts and judicial officers; supplies, including the exchange of typewriting and adding machines, for the United States courts and judicial officers, including firearms and ammunition therefor; purchase of law books, including the exchange thereof, for United States judges, district attorneys, and other judicial officers, including the libraries of the ten United States circuit courts of appeals, and the Federal Reporter and continuations thereto as issued, \$610,000: <i>Provided</i> , That such books shall in all cases be transmitted to their successors in office; all books purchased hereunder to be marked plainly, "The Property of the United States": <i>Provided further</i> , That not to exceed \$2 per volume shall be paid for the current and future volumes of the United States Code, Annotated, and that the reports of the United States Court of Appeals for the District of Columbia shall not be sold for a price exceeding that approved by the court and for not more than \$6.50 per volume.
Alaska, Court of Claims, etc.	
Rent, supplies, etc.	
Law books for judicial officers.	
Federal Reporter.	
<i>Provisos.</i> Transmittal to successors.	
United States Code, Annotated, price limitation.	
Attendance fees, limitation.	None of the money appropriated by this title shall be used to pay any witness, juror, or bailiff more than one per diem for any one day's service even though he serves in more than one of such three capacities on the same day.
License requirement for attorneys.	None of the funds appropriated by this title may be used to pay the compensation of any person hereafter employed as an attorney unless such person shall be duly licensed and authorized to practice as an attorney under the laws of a State, Territory, or the District of Columbia.

No part of the funds appropriated by this title for salaries of judges, the Attorney General, Assistant Attorneys General, Solicitor General, district attorneys, marshals, and clerks of court shall be used for any other purpose whatsoever, but such salaries shall be allotted out of appropriations herein made for such salaries and retained by the Department and paid to such officials severally, as and when such salaries fall due and without delay.

This title may be cited as the "Department of Justice Appropriation Act, 1940".

Restriction on use of designated funds.

Short title.

### TITLE III—DEPARTMENT OF COMMERCE

Department of Commerce Appropriation Act, 1940.

#### OFFICE OF THE SECRETARY

Salaries: Secretary of Commerce, Under Secretary of Commerce, \$10,000, two Assistant Secretaries, and other personal services in the District of Columbia, including the Chief Clerk and Superintendent, who shall be chief executive officer of the Department and who may be designated by the Secretary of Commerce to sign minor routine official papers and documents during the temporary absence of the Secretary and the Assistant Secretaries of the Department, \$541,500: *Provided*, That not to exceed \$100,000 of this appropriation shall be available for expenditure by the Secretary of Commerce for personal services of experts and specialists at rates of compensation not in excess of \$9,000 per annum without regard to the civil-service laws and regulations or the Classification Act of 1923, as amended: *Provided further*, That any person paid from the said \$100,000 an annual salary of \$7,500 or more shall be appointed by the President, by and with the advice and consent of the Senate.

Salaries.

*Provisos.*  
Employment of experts, etc.

Senate approval of appointments at \$7,500 or more.

#### CONTINGENT EXPENSES, DEPARTMENT OF COMMERCE

Contingent expenses: For contingent and miscellaneous expenses of the offices and bureaus of the Department, except the Patent Office and the Bureau of the Census, including those for which appropriations for contingent and miscellaneous expenses are specifically made, including professional and scientific books, lawbooks, books of reference, periodicals, blank books, pamphlets, maps, newspapers (not exceeding \$1,500); purchase of atlases or maps; stationery; furniture and repairs to same; carpets, matting, oilcloth, file cases, towels, ice, brooms, soap, sponges; fuel, lighting, and heating; purchase and exchange of motortrucks and bicycles; maintenance, repair, and operation of three motor-propelled passenger-carrying vehicles (one for the Secretary of Commerce and two for the general use of the Department), and motortrucks and bicycles, to be used only for official purposes; freight and express charges; postage to foreign countries; telegraph and telephone service; teletype service and tolls (not to exceed \$1,000); typewriters, adding machines, and other labor-saving devices, including their repair and exchange; first-aid outfits for use in the buildings occupied by employees of this Department; and all other necessary miscellaneous items including examination of estimates of appropriation in the field not included in the foregoing, \$94,500, which sum shall constitute the appropriation for contingent expenses of the Department, except the Patent Office and the Bureau of the Census, and shall also be available for the purchase of necessary supplies and equipment for field services of bureaus and offices of the Department for which contingent and miscellaneous appropriations are specifically made in order to facilitate the purchase through the central purchasing office (Division of Purchases and Sales) as provided by law.

Contingent and miscellaneous expenses.

Vehicles.

Traveling expenses.

43 Stat. 1261.  
33 U. S. C. § 765.

*Proviso.*  
Hire of automobiles.

38 Stat. 508.  
5 U. S. C. § 78.

Printing and binding.

*Proviso.*  
Detail of copy editors.

**Traveling expenses:** For all necessary traveling expenses under the Department of Commerce, including all bureaus and divisions thereunder except the Bureau of the Census, and traveling expenses for the examinations authorized by the Act entitled "An Act to provide for retirement for disability in the Lighthouse Service", approved March 4, 1925 (33 U. S. C. 765), but not including travel properly chargeable to the appropriation herein for "Transportation of families and effects of officers and employees and allowances for living quarters", Bureau of Foreign and Domestic Commerce: *Provided*, That not exceeding \$3,000 of this appropriation shall be available for the hire of automobiles for travel on official business, without regard to the provisions of the Act of July 16, 1914 (38 Stat. 508), \$465,400.

**Printing and binding:** For all printing and binding for the Department of Commerce, including all of its bureaus, offices, institutions, and services in the District of Columbia and elsewhere, except the Patent Office and the Bureau of the Census, \$380,000: *Provided*, That an amount not to exceed \$2,000 of this appropriation may be expended for salaries of persons detailed from the Government Printing Office for service as copy editors.

#### BUREAU OF FOREIGN AND DOMESTIC COMMERCE

Salaries and expenses, Washington Commerce Service.

49 Stat. 1333.

China Trade Act,  
administration.

**Salaries and expenses, Washington Commerce Service:** For the salary of the Director and other personal services in the District of Columbia, including the functions set forth under the Bureau of Foreign and Domestic Commerce, Department of Commerce, Appropriation Act for 1937, approved May 15, 1936, and for every necessary expense connected with collecting and compiling lists of foreign buyers and reports thereon; administration of the China Trade Act in the District of Columbia; collecting and compiling information regarding the restrictions and regulations of trade imposed by foreign countries; establishment, operation, and maintenance of foreign trade zones in ports of entry of the United States, including contract stenographic reporting services and fees for mileage of witnesses; purchases for use in Washington or the field offices of furniture, equipment, stationery and supplies, typewriting, adding and computing, mimeographing, multigraphing, photostat, and other duplicating machines and devices, including their exchange and repair, telegraph and telephone service, accessories and repairs, books of reference, newspapers, periodicals, reports, documents, plans and specifications, freight, express, drayage, and streetcar fares, \$555,000.

Domestic commerce and raw-materials investigations.

**Domestic commerce and raw-materials investigations:** For personal services of officers and employees to enable the Bureau of Foreign and Domestic Commerce to collect and compile information regarding the disposition and handling of raw materials and manufactures within the United States; and to investigate the conditions of production and marketing of foreign raw materials essential for American industries, \$330,000.

District and cooperative office service.

**District and cooperative office service:** For all expenses necessary to operate and maintain district and cooperative offices, including personal services, rent outside of the District of Columbia, purchase of furniture and equipment, stationery and supplies, typewriting, adding, and computing machines, accessories, and repairs, purchase of maps, books of reference, and periodicals, reports, documents, plans, specifications, manuscripts, newspapers, both foreign and domestic (not exceeding \$300), and all other publications necessary for the promotion of the commercial interests of the United States, and all other necessary incidental expenses not included in the foregoing, \$350,000.

**Export industries:** To enable the Bureau of Foreign and Domestic Commerce to investigate and report on domestic as well as foreign problems relating to the production, distribution, and marketing, insofar as they relate to the important export industries of the United States, including personal services, purchase of furniture and equipment, stationery and supplies, typewriting, adding and computing machines, accessories and repairs, books of reference and periodicals, reports, documents, plans, specifications, manuscripts, and all other publications, rent outside of the District of Columbia, ice and drinking water for office purposes, and all other necessary incidental expenses connected therewith, \$540,000.

Export industries.  
Investigations and  
reports.

**Salaries and expenses, Foreign Commerce Service:** For the promotion and development of the foreign commerce of the United States and for carrying out the provisions of the Act approved March 3, 1927, as amended (15 U. S. C. 197–197f, 198), to establish in the Bureau of Foreign and Domestic Commerce, Department of Commerce, a Foreign Commerce Service of the United States, including personal services in the District of Columbia and elsewhere, the compensation of a clerk or clerks for each commercial attaché at a rate not to exceed \$3,000 per annum for each person so employed, and to carry out the provisions of the Act entitled “China Trade Act, 1922”, including rent outside of the District of Columbia, the purchase of necessary furniture and equipment, loss by exchange, stationery and supplies, typewriting, adding, duplicating, and computing machines, accessories and repairs, law books, books of reference, and periodicals, uniforms, maps, reports, documents, plans, specifications, manuscripts, newspapers (not exceeding \$2,500), ice and drinking water for office purposes, and for every necessary incidental expense not included in the above, \$791,000, of which not to exceed \$19,300 shall be available immediately: *Provided*, That Foreign Commerce Service officers are authorized to enter into leases for office quarters, and payment in advance for rent, telephone, or other charges required by the customs of the country is hereby authorized: *Provided further*, That the purchase of supplies and equipment or the procurement of services in foreign countries may be made in the open market without compliance with section 3709 of the Revised Statutes of the United States (41 U. S. C. 5) in the manner common among businessmen when the aggregate amount of the purchase or the service does not exceed \$100 in any instance.

Foreign Commerce  
Service.

44 Stat. 1394.  
15 U. S. C. §§ 197–  
197f, 198.  
Personal services.

China Trade Act.  
42 Stat. 849.  
15 U. S. C. §§ 141–  
162; Supp. IV, ch. 4.  
Supplies.

*Prorisos.*  
Leases, etc.

Open market pur-  
chase of supplies.

R. S. § 3709.  
41 U. S. C. § 5.

Customs statistics.

42 Stat. 1109.  
15 U. S. C. § 194.

**Customs statistics:** For all expenses necessary for the operation of the section of customs statistics transferred to the Department of Commerce from the Treasury Department by the Act approved January 5, 1923 (15 U. S. C. 194), and expenses connected with the monthly publication of statistics showing the United States exports and imports by customs districts and destinations, including personal services in the District of Columbia (not to exceed \$100,000) and elsewhere; rent of or purchase of tabulating, punching, sorting, and other mechanical labor-saving machinery or devices, including adding, typewriting, billing, computing, mimeographic, multigraphing, photostat, and other duplicating machines and devices, including their exchange and repair; telegraph and telephone service; freight, express, drayage; tabulating cards, stationery, and miscellaneous office supplies; books of reference and periodicals; furniture and equipment; ice, water, heat, light, and power; streetcar fare; and all other necessary incidental expenses not included in the foregoing, \$403,000.

**Transportation of families and effects of officers and employees and allowances for living quarters:** To pay the traveling expenses and expenses of transportation, under such regulations as the Secretary

Transportation of  
families and effects of  
personnel, etc.

Transportation of  
remains of officers,  
etc., dying abroad.

46 Stat. 818.  
5 U. S. C. § 118a.

Allowances for living  
quarters, etc.  
R. S. § 1765.  
5 U. S. C. § 70.  
*Proviso.*  
Maximum allow-  
ance.  
Attendance at meet-  
ings.

of Commerce may prescribe, of families and effects of officers and employees of the Bureau of Foreign and Domestic Commerce in going to and returning from their posts, or when traveling under the order of the Secretary of Commerce, and also for defraying the expenses of preparing and transporting the remains of officers and employees of the Bureau of Foreign and Domestic Commerce who may die abroad or in transit, while in the discharge of their official duties, to their former homes in this country, or to a place not more distant, for interment, and for the ordinary expenses of such interment; to enable the Secretary of Commerce, under such regulations as he may prescribe, in accordance with the provisions of the Act of June 26, 1930 (5 U. S. C. 118a), to furnish the officers and employees in the Foreign Commerce Service of the Bureau of Foreign and Domestic Commerce stationed in a foreign country, without cost to them and within the limits of this appropriation, allowances for living quarters, heat, and light, notwithstanding the provisions of section 1765 of the Revised Statutes (5 U. S. C. 70), \$160,000: *Provided*, That the maximum allowance to any officer or employee shall not exceed \$1,700.

The appropriation herein under title III for traveling expenses shall be available in an amount not to exceed \$5,000 for expenses of attendance at meetings concerned with the promotion of foreign and domestic commerce, or either and also expenses of illustrating the work of the Bureau of Foreign and Domestic Commerce by showing of maps, charts, and graphs at such meetings, when incurred on the written authority of the Secretary of Commerce.

#### BUREAU OF THE CENSUS

Expenses of the  
Sixteenth Census.

46 Stat. 21.  
13 U. S. C. §§ 201-  
218.

Monographs.

Tabulating, etc.,  
machines.

Social Security Act,  
salaries and expenses.

42 U. S. C., Supp.  
IV, ch. 7.

For beginning the work of taking, compiling, and publishing the Sixteenth Census of the United States, as authorized by the Act of June 18, 1929 (13 U. S. C. 201-218), and for carrying on other authorized census work, within a limit of cost for the period of July 1, 1939, to December 31, 1942, of \$45,100,000, including personal services and rentals in the District of Columbia and elsewhere; the cost of transcribing State, municipal, and other records; contracts for the preparation of monographs on census subjects and other work of specialized character which cannot be accomplished through ordinary employment; per diem compensation of employees of the Department of Commerce and other departments and independent establishments of the Government who may be detailed for field work; expenses of attendance at meetings concerned with the collection of statistics, when incurred on the written authority of the Secretary of Commerce; purchase of books of reference, periodicals, maps, newspapers, manuscripts, first-aid outfits for use in the buildings occupied by employees of the census; purchase, maintenance, operation, and repair of a passenger-carrying automobile to be used on official business; construction, purchase, exchange, or rental of punching, tabulating, sorting, and other labor-saving machines, including technical, mechanical, and other services in connection therewith; printing and binding, traveling expenses, streetcar fares, and all other contingent expenses in the District of Columbia and in the field, \$21,900,000, of which amount not to exceed \$50,000 shall be available immediately.

Salaries and expenses, Social Security Act: For salaries and necessary expenses for searching census records and supplying information incident to carrying out the provisions of the Social Security Act, approved August 14, 1935 (42 U. S. C., ch. 7), including personal services in the District of Columbia; binding records; supplies; serv-

ices, \$100,000: *Provided*, That the procedure hereunder for the furnishing from census records of evidence for the establishment of age of individuals shall be pursuant to regulations approved jointly by the Secretary of Commerce and the Social Security Board.

*Proviso.*  
Furnishing evidence for establishing age, etc.

#### BUREAU OF MARINE INSPECTION AND NAVIGATION

Departmental salaries: For the director and other personal services in the District of Columbia, \$350,000.

Departmental salaries.

Salaries and general expenses: For salaries of shipping commissioners, inspectors, and other personal services; to enable the Secretary of Commerce to provide and operate such motorboats and employ such persons as may be necessary for the enforcement, under his direction, of laws relating to navigation and inspection of vessels, boarding of vessels, counting of passengers on excursion boats to prevent overcrowding, and to secure uniformity in the admeasurement of vessels; fees to witnesses; materials, supplies, equipment, and services, including rent and janitor service; purchase, exchange, and repair of instruments; plans and specifications; insignia, braid, and chin straps; coats, caps, and aprons for stewards' departments on vessels; and other incidental expenses of field offices, including contract stenographic reporting services in the District of Columbia and elsewhere, \$2,320,000: *Provided*, That \$50,000 of the amount herein appropriated shall be available only for the payment of extra compensation for overtime services of local inspectors of steam vessels and their assistants, United States shipping commissioners and their deputies and assistants, and customs officers and employees for which the United States receives reimbursement in accordance with the provisions of the Act of May 11, 1938 (52 Stat. 345).

Salaries and general expenses.

*Proviso.*  
Local inspectors, etc., overtime pay.

52 Stat. 345.  
46 U. S. C., Supp. IV, § 382b.

#### NATIONAL BUREAU OF STANDARDS

Salaries and expenses: For carrying out the provisions of the Act establishing the National Bureau of Standards, approved March 3, 1901 (5 U. S. C. 591, 597; 15 U. S. C. 271-278), and of Acts supplementary thereto affecting the functions of the Bureau, and specifically including the functions as set forth under the Bureau of Standards in the "Department of Commerce Appropriation Act, 1935", approved April 7, 1934, and for all necessary expenses, purchases, and personnel connected with administration and operation, testing, inspection, and technical information service, research and development, and standards for commerce, including rental of laboratories in the field, communication service, transportation service; street-car fares not exceeding \$100, expenses of the visiting committee, attendance of American member at the meeting of the International Committee of Weights and Measures; compensation and expenses of medical officers of the Public Health Service detailed to the National Bureau of Standards for the purpose of maintaining a first-aid station and making clinical observations; compiling and disseminating scientific and technical data; demonstrating the results of the Bureau's work by exhibits or otherwise as may be deemed most effective; purchases of supplies, materials, stationery, electric power, fuel for heat, light, and power, and accessories of all kinds needed in the work of the Bureau, including supplies for office, laboratory, shop, and plant, and cleaning and toilet supplies, gloves, goggles, rubber boots and aprons; contingencies of all kinds; supplies for operation, maintenance, and repair of motortrucks and a passenger automobile for official use, including their exchange; purchases of equipment of all kinds, including its repair and exchange, including apparatus, machines, and tools, furniture, typewriters, adding

Salaries and expenses.  
31 Stat. 1449.  
5 U. S. C. §§ 591, 597; 15 U. S. C. §§ 271-278.

48 Stat. 552.

Attendance at meeting of International Committee of Weights and Measures.  
Detailed Public Health Service officers.

Supplies, etc.

Equipment.



## Personal services.

5 U. S. C. §§ 661-674;  
Supp. IV, §§ 673, 673c.

Operation and ad-  
ministration.  
*Post*, p. 1312.

Testing, inspection,  
and information serv-  
ice.

Research and devel-  
opment.

Development of pH  
standards.

Standards for com-  
merce.

Investigation of  
building materials.

*Proviso.*  
*Limitation.*

Additional land.

machines, and other labor-saving devices, books, periodicals, and reference books, including their exchange when not needed for permanent use; translation of technical articles when required; salary of the director and other personal services in the District of Columbia and in the field, in accordance with the Classification Act of 1923, as amended:

**Operation and administration:** For the general operation and administration of the Bureau; improvement and care of the grounds; plant equipment; necessary repairs and alterations to buildings, \$275,000.

**Testing, inspection, and information service:** For calibrating and certifying measuring instruments, apparatus, and standards in terms of the national standards; the preparation and distribution of standard materials; the broadcasting of radio signals of standard frequency; the testing of equipment, materials, and supplies in connection with Government purchases; the improvement of methods of testing; advisory services to governmental agencies on scientific and technical matters; and supplying available information to the public, upon request, in the field of physics, chemistry, and engineering; \$855,000.

**Research and development:** For the maintenance and development of national standards of measurement; the development of improved methods of measurement; the determination of physical constants and the properties of materials; the investigation of mechanisms and structures, including their economy, efficiency, and safety; the study of fluid resistance and the flow of fluids and heat; the investigation of radiation, radioactive substances, and X-rays; the study of conditions affecting radio transmission; the development of methods of chemical analysis and synthesis, and the investigation of the properties of rare substances; investigations relating to the utilization of materials, including lubricants and liquid fuels; the study of new processes and methods of fabrication; and the solutions of problems arising in connection with standards, \$715,000, of which not to exceed \$75,000 may be available for the development of pH standards.

**Standards for commerce:** For cooperation with Government purchasing agencies, industries, and national organizations in developing specifications and facilitating their use; for encouraging the application of the latest developments in the utilization and standardization of building materials; for the development of engineering and safety codes, simplified-practice recommendations, and commercial standards of quality and performance, \$123,000.

**Investigation of building materials:** For personal services in the District of Columbia and elsewhere and all other necessary expenses for completing the study of the properties and suitability of building materials, with particular reference to their use in low-cost housing, including the construction of such experimental structures as may be necessary for this purpose; and the publication including printing and binding and dissemination of the results thereof, \$198,000, to continue available until June 30, 1941: *Provided*, That no part of this sum shall be used to duplicate any work now being performed by the Forest Products Laboratory of the Department of Agriculture.

**Additional land:** For enlarging the site of the National Bureau of Standards by the purchase of twelve and five-tenths acres of land, more or less, including improvements thereon, being parcels numbered 44/4, 44/5, 44/34, 44/44, and 44/45 in the District of Columbia, adjacent to the present site of the National Bureau of Standards, \$100,000, to be available immediately.

During the fiscal year 1940 the head of any department or independent establishment of the Government having funds available for scientific investigations and requiring cooperative work by the National Bureau of Standards on scientific investigations within the scope of the functions of that Bureau, and which the National Bureau of Standards is unable to perform within the limits of its appropriations, may, with the approval of the Secretary of Commerce, transfer to the National Bureau of Standards such sums as may be necessary to carry on such investigations. The Secretary of the Treasury shall transfer on the books of the Treasury Department any sums which may be authorized hereunder, and such amounts shall be placed to the credit of the National Bureau of Standards for performance of work for the department or establishment from which the transfer is made, including, where necessary, travel expenses and compensation for personal services in the District of Columbia and in the field.

Cooperative work with departments, etc., on scientific investigations.

Transfer of funds.

The appropriation under title III herein for traveling expenses shall be available for the National Bureau of Standards in an amount not to exceed \$4,500 for attendance at meetings concerned with standardization and research or either, when incurred on the written authority of the Secretary of Commerce.

Attendance at meetings.

Total, National Bureau of Standards, \$2,266,000, of which amount not to exceed \$1,914,000 may be expended for personal services in the District of Columbia.

Total; services in the District.

#### BUREAU OF LIGHTHOUSES

**Salaries:** For the Commissioner and other personal services in the District of Columbia, \$126,400.

Salaries.

**General expenses:** For supplies, including replacement of and necessary additions to existing equipment, repairs, maintenance, and incidental expenses of lighthouses and other lights, beacons, buoyage, fog signals, lighting of rivers heretofore authorized to be lighted, light vessels, other aids to navigation, and lighthouse tenders, including the establishment, repair, and improvement of beacons and day marks, and purchase of land for same; establishment of post lights, buoys, submarine signals, and fog signals; construction of necessary outbuildings, including oil houses at light stations, at a cost not exceeding \$2,500 at any one light station in any fiscal year; improvement of grounds and buildings connected with light stations and depots; restoring light stations and depots and buildings connected therewith: *Provided*, That such restoration shall be limited to the original purpose of the structures; wages of persons attending post lights; temporary employees and field force while engaged on works of general repair and maintenance, and laborers and mechanics at lighthouse depots; rations and provisions or commutation thereof for working parties in the field, officers and crews of light vessels and tenders, and officials and other authorized persons of the Lighthouse Service on duty on board of such tenders or vessels, and money accruing from commutation for rations and provisions for the above-named persons on board tenders and light vessels or in working parties in the field may be paid on proper vouchers to the person having charge of the mess of such vessel or party; not exceeding \$3,500 for packing, crating, and transporting personal household effects of employees, not to exceed six thousand pounds in any one case, when transferred from one official station to another for permanent duty; purchase of rubber boots, oilskins, rubber gloves, goggles, and coats, caps, and aprons for stewards' departments on vessels; reimbursement under rules prescribed by the Secretary of Commerce of keepers of

General expenses.  
Aids to navigation.

*Proviso.*  
Restoration limited to original purpose.  
Personal services.

Transportation of effects.

Reimbursement for rations, etc., furnished shipwrecked persons.

	light stations and masters of light vessels and of lighthouse tenders for rations and provisions and clothing furnished shipwrecked persons who may be temporarily provided for by them, not exceeding in all \$1,000 in any fiscal year; fuel, light, and rent of quarters where necessary for keepers of lighthouses; purchase of land sites for fog signals; rent of necessary ground for all such lights and beacons as are for temporary use or to mark changeable channels and which in consequence cannot be made permanent; rent of offices, depots, and wharves; mileage; library books for light stations and vessels, and technical books and periodicals not exceeding \$750; traveling expenses of teachers while actually employed by States or private persons to instruct the children of keepers of lighthouses; all other contingent expenses of district offices and depots, including the purchase of provisions for sale to lighthouse keepers at isolated stations, and the appropriation reimbursed; purchase (not to exceed \$5,000), exchange, maintenance, operation, and repair of motor-propelled passenger-carrying vehicle for official use in field work; payment of rewards for the apprehension and conviction, or for information helpful to the apprehension and conviction of persons found interfering with aids to navigation maintained by the Lighthouse Service, in violation of section 6 of the Act of May 14, 1908 (33 U. S. C. 761); \$4,370,000.
Vehicles.	
Payment of rewards.	
35 Stat. 162. 33 U. S. C. § 761. Special projects, vessels, and aids to navigation.	Special projects, vessels, and aids to navigation: For constructing or purchasing and equipping lighthouse tenders and light vessels for the Lighthouse Service as may be specifically approved by the Secretary of Commerce, not to exceed \$880,000; and for establishing and improving aids to navigation and other works as may be specifically approved by the Secretary of Commerce, not to exceed \$450,000, in all, \$1,330,000, which sum shall be available for all expenditures directly relating to the respective projects which are approved by the Secretary of Commerce.
Availability.	
Keepers of lighthouses, etc., salaries.	Salaries, keepers of lighthouses, and so forth: For salaries of not exceeding one thousand four hundred lighthouse and fog-signal keepers and persons attending lights, exclusive of post lights, \$1,890,000.
Lighthouse vessels, salaries.	Salaries, lighthouse vessels: For salaries and wages of officers and crews of light vessels and lighthouse tenders, including temporary employment when necessary, \$2,432,000.
Superintendents, clerks, etc., salaries.	Salaries, superintendents, clerks, and so forth: For salaries of eighteen superintendents of lighthouses, and of assistant superintendents, clerks, draftsmen, and other authorized permanent employees in the district offices and depots of the Lighthouse Service, exclusive of those regularly employed in the office of the Bureau of Lighthouses, District of Columbia, \$754,600.
Retired pay.	Retired pay: For retired pay of officers and employees engaged in the field service or on vessels of the Lighthouse Service, except persons continuously employed in district offices and shops, \$725,000.

## COAST AND GEODETIC SURVEY

Expenses.	For every expenditure requisite for and incident to the work of the Coast and Geodetic Survey, including purchase of not more than four motor-propelled station wagons and maintenance, repair, exchange, and operation of motor-propelled or horse-drawn vehicles for official use in field work, purchase of motorcycles with side cars, including their exchange, not to exceed \$500, surveying instruments, including their exchange, rubber boots, canvas and rubber gloves, goggles, and caps, coats, and aprons for stewards' departments on vessels, packing, crating, and transporting personal household effects of commissioned officers, when transferred from one official station to another for permanent duty, extra compensation at not to exceed \$1 per day for each station to employees of the Lighthouse Service and the Weather Bureau
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while observing tides or currents or tending seismographs, services of one tide observer in the District of Columbia at not to exceed \$1 per day, and compensation, not otherwise appropriated for, of persons employed in the field work, for operation, maintenance, and repair of an airplane for photographic survey, and expenses incident to the execution of field work upon approval by the head of the Bureau, to be expended in accordance with the regulations relating to the Coast and Geodetic Survey subscribed by the Secretary of Commerce, and under the following heads:

**Field expenses, coastal surveys:** For surveys and necessary resurveys of coasts on the Atlantic and Pacific Oceans and the Gulf of Mexico under the jurisdiction of the United States; continuing researches in physical hydrography relating to harbors and bars, and for tidal and current observations on the coasts of the United States or other coasts under the jurisdiction of the United States; compilation of the Coast Pilot, including the employment of pilots and nautical experts; the preparation or purchase of plans and specifications of vessels and the employment of hull draftsmen; the reimbursement, under rules prescribed by the Secretary of Commerce, of officers of the Coast and Geodetic Survey for food, clothing, medicines, and other supplies furnished for the temporary relief of distressed persons in remote localities and to shipwrecked persons temporarily provided for by them, not to exceed a total of \$500; actual necessary expenses of officers of the field force temporarily ordered to the office in the District of Columbia for consultation with the director, and not exceeding \$3,000 for special surveys that may be required by the Bureau of Lighthouses or other proper authority, \$348,000, of which amount not more than \$21,200 may be expended for personal services in the District of Columbia.

**Magnetic and seismological work:** For continuing magnetic and seismological observations and to establish meridian lines in connection therewith in all parts of the United States; making magnetic and seismological observations in other regions under the jurisdiction of the United States; purchase of additional magnetic and seismological instruments; lease of sites where necessary and the erection of temporary magnetic and seismological buildings; and including the employment in the field and office of such magnetic and seismological observers, and instrument makers and stenographic services as may be necessary, \$70,000.

**Federal, boundary, and State surveys:** For continuing lines of exact levels between the Atlantic, Pacific, and Gulf coasts; determining geographic positions by triangulation and traverse for the control of Federal, State, boundary, county, city, and other surveys and engineering works in all parts of the United States; including special geodetic surveys of first-order triangulation and leveling in regions subject to earthquakes, not exceeding \$10,000; determining field astronomical positions and the variation of latitude, including the maintenance and operation of the latitude observatories at Ukiah, California, and Gaithersburg, Maryland, not exceeding \$2,500 each; establishing lines of exact levels, determining geographic positions by triangulation and traverse, and making astronomical observations in Alaska; and continuing gravity observations in the United States and for making such observations in regions under the jurisdiction of the United States and also on islands and coasts adjacent thereto, \$80,000, of which amount not to exceed \$35,440, may be expended for personal services in the District of Columbia.

**Vessels:** For repair of vessels, and replacement of equipment thereon, exclusive of engineers' supplies and other ship chandlery, \$70,000.

**Pay of officers and men on vessels:** For all necessary employees to man and equip the vessels, including professional seamen serving as

Field expenses,  
coastal surveys.  
*Post*, p. 1312.

Coast Pilot, com-  
pilation.

Special surveys.

Personal services.

Magnetic and seis-  
mological work.  
*Post*, p. 1312.

Federal, boundary,  
and State surveys.

Ukiah and Gaith-  
ersburg observatories.  
Alaska.

Vessels, repair, etc.

Officers and men on  
vessels, pay.  
*Post*, p. 1312.

Commissioned officers, pay and allowances.

*Proviso.*  
Assistant director.

Office force.

Office expenses.  
*Post*, p. 1312.

Aeronautical charts.

Restriction on use of funds.

Attendance at meetings.

Temporary employment of architects, etc.

Rate of pay.

Salaries.

mates on vessels of the Survey, to execute the work of the Survey herein provided for and authorized by law, \$589,000.

Pay, commissioned officers: For pay and allowances prescribed by law for commissioned officers on sea duty and other duty, holding relative rank with officers of the Navy, including one director, six hydrographic and geodetic engineers with relative rank of captain, ten hydrographic and geodetic engineers with relative rank of commander, seventeen hydrographic and geodetic engineers with relative rank of lieutenant commander, forty-seven hydrographic and geodetic engineers with relative rank of lieutenant, sixty-one junior hydrographic and geodetic engineers with relative rank of lieutenant (junior grade), twenty-nine aides with relative rank of ensign, and including officers retired in accordance with existing law, \$825,000: *Provided*, That the Secretary of Commerce may designate one of the hydrographic and geodetic engineers to act as assistant director.

Office force: For personal services, \$590,000.

Office expenses: For purchase of new instruments (except surveying instruments), including their exchange, materials, equipment, and supplies required in the instrument shop, carpenter shop, and chart division; books, scientific and technical books, journals, books of reference, maps, charts, and subscriptions; copper plates, chart paper, printer's ink, copper, zinc, and chemicals for electrotyping and photographing; engraving, printing, photographing, rubber gloves, and electrotyping supplies; photolithographing and printing charts for immediate use; stationery for office and field parties; transportation of instruments and supplies when not charged to field expenses; telegrams; washing; office furniture, repairs; miscellaneous expenses, contingencies of all kinds, not exceeding \$90 for streetcar fares, \$73,000.

Aeronautical charts: For compilation and printing of aeronautical charts, including personal services in the District of Columbia (not to exceed \$91,500), operation of airplane for check flights, and aerial photographs, execution of ground surveys at air terminals, and the purchase of drafting, photographic, photolithographic, and printing supplies and equipment, \$120,000.

Appropriations herein made for traveling expenses or for the Coast and Geodetic Survey shall not be available for allowance to civilian or other officers for subsistence while on duty at Washington (except as hereinbefore provided for officers of the field force ordered to Washington for short periods for consultation with the director), except as now provided by law.

The appropriation under title III herein for traveling expenses shall be available, in an amount not to exceed \$650, for expenses of attendance at meetings concerned with the work of the Coast and Geodetic Survey when incurred on the written authority of the Secretary of Commerce.

Not to exceed \$2,500 of the appropriations herein made for the Coast and Geodetic Survey shall be available for the payment of part-time or intermittent employment in the District of Columbia, or elsewhere, of such architects, engineers, scientists, and technicians as may be contracted for by the Secretary of Commerce, in his discretion, at a rate of pay not exceeding \$25 per diem for any person so employed.

#### BUREAU OF FISHERIES

Salaries: For the Commissioner and other personal services in the District of Columbia, \$183,000, of which amount not to exceed \$5,000 shall be expended for personal service in connection with the maintenance and operation of aquarium.

Propagation of food fishes: For maintenance, repair, alteration, improvement, equipment, acquisition, and operation of fish-cultural stations, general propagation of food fishes and their distribution, including movement, maintenance, and repairs of cars and not to exceed \$15,000 for purchase of trucks for fish distribution; maintenance, repair, and operation of motor-propelled passenger-carrying vehicles for official use in the field; purchase of equipment (including rubber boots, oilskins and first-aid outfits), and apparatus; contingent expenses; pay of permanent employees not to exceed \$454,250; temporary labor; not to exceed \$10,000 for propagation and distribution of fresh-water mussels and the necessary expenses connected therewith; purchase, collection, and transportation of specimens and other expenses incidental to the maintenance and operation of aquarium, \$949,400, including not to exceed \$155,000 to establish or commence the establishment of stations authorized by the Act approved May 21, 1930 (46 Stat. 371), including the acquisition of necessary land, construction of buildings and ponds, water supply, improvements to grounds, purchase of equipment, and all other necessary expenses, and including not to exceed \$10,000 for the completion of fish cultural station at Arcadia, Rhode Island, including construction of buildings and ponds, water supply, improvements to grounds, purchase of equipment, and all other necessary expenses.

The unobligated balance of the appropriation remaining under the limitation of \$155,000 to establish or commence the establishment of stations authorized by the Act approved May 21, 1930 (46 Stat. 371), contained in the Department of Commerce Appropriation Act, 1939, under the head "Propagation of food fishes", and the unobligated balance of the appropriation for the establishment of a fish cultural station, contained in the Second Deficiency Appropriation Act, fiscal year 1938, under the head "Fish cultural station", are continued available during the fiscal year 1940.

Maintenance of vessels: For maintenance and operation of vessels and launches, including purchase, and repair of boats, apparatus, machinery, and other facilities required for use with the same, hire of vessels, construction of small boats, temporary employees, and all other necessary expenses in connection therewith, including the purchase of plans and specifications for vessels or for contract personal services for the preparation thereof, and money accruing from commutation of rations and provisions on board vessels may be paid on proper vouchers to the persons having charge of the mess of such vessels, \$214,000, of which amount not to exceed \$13,500 may be expended for pay of officers and employees of vessels of the Atlantic coast, and not to exceed \$75,000 for pay of officers and crews of vessels for the Alaska Fisheries Service.

Construction of fish screens: For construction, operation, and maintenance, in cooperation with the Bureau of Reclamation and the Bureau of Indian Affairs, or either, of fish screens and ladders on Federal irrigation projects, and for the conduct of investigations and surveys, the preparation of designs, and supervision of construction of such screens and ladders; and for determining the requirements for fishways and other fish protective devices at dams constructed under licenses issued by the Federal Power Commission in accordance with the provisions of the Federal Water Power Act (16 U. S. C. 791), \$10,000, of which not to exceed \$6,400 may be expended for the pay of permanent employees.

Commutation of rations (not to exceed \$1 per day) may be paid to officers and crews of vessels of the Bureau of Fisheries during the fiscal year 1940 under regulations prescribed by the Secretary of Commerce (52 Stat. 282).

Propagation of food fishes.

Vehicles.

Establishment of stations.

46 Stat. 371.

Arcadia, R. I., completion.

Continuance of certain appropriations.

52 Stat. 282; 46 Stat. 371.

52 Stat. 1127.

Maintenance of vessels.

Allotment for Atlantic coast and Alaska Fisheries Service.

Construction of fish screens.

16 U. S. C. § 791; Supp. IV, ch. 12.

Commutation of rations.

52 Stat. 282.

## Food fishes inquiry.

Inquiry respecting food fishes: For inquiry into the cause of the decrease of food fishes in the waters of the United States, and for investigation and experiments in respect to the aquatic animals, plants, and waters, and screening of irrigation ditches and fishways, in the interests of fish culture and the fishery industries, maintenance, repair, improvement, equipment, and operation of biological stations, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles for official use in the field, preparation of reports, and not to exceed \$500 for rent of suitable quarters in the District of Columbia for laboratory and storage purposes, \$322,000, of which sum not to exceed \$270,000 may be expended for personal services.

Fishery industries.  
Statistical studies.

Cooperative associations of producers of aquatic products.

48 Stat. 1213.  
15 U. S. C. § 521.

Fishery industries: For collection and compilation of statistics of the fisheries and the study of their methods and relations, and the methods of preservation and utilization of fishery products, and to enable the Secretary of Commerce to execute the functions imposed upon him by the Act entitled "An Act authorizing associations of producers of aquatic products", approved June 25, 1934 (48 Stat. 1213), including pay of permanent employees not to exceed \$61,960, compensation of temporary employees, preparation of reports, contract stenographic reporting services, and all other necessary expenses in connection therewith, including the purchase (not to exceed \$1,100), exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles for official use in the field, \$80,000.

## Fishery market news service.

Fishery market news service: For collecting, publishing, and distributing, by telegraph, mail, or otherwise, information on the fishery industry, information on market supply and demand, commercial movement, location, disposition, and market prices of fishery products, with or without cooperation with any department or agency of the United States, or any State or Territory, or subdivision thereof, purchase of equipment and supplies, preparation of reports, and all other necessary expenses connected therewith, \$76,000, of which not to exceed \$13,020 may be expended for personal services in the District of Columbia.

## Alaska, fisheries service.

36 Stat. 326.  
16 U. S. C. §§ 631-658.

Alaska, fisheries service: For protecting the seal and sea otter fisheries of Alaska, including the furnishing of food, fuel, clothing, and other necessities of life to the natives of the Pribilof Islands of Alaska; construction, improvement, repair, and alteration of buildings and roads, transportation of supplies to and from the islands, subsistence of agents and other employees while on said islands, hire and maintenance of vessels, and for all expenses necessary to carry out the provisions of the Act entitled "An Act to protect the seal fisheries of Alaska, and for other purposes", approved April 21, 1910 (16 U. S. C. 631-658), and for the protection of the fisheries of Alaska, including pay of permanent employees not to exceed \$67,900, contract stenographic reporting service, hire of boats, employment of temporary labor, and all other necessary expenses connected therewith, \$268,200 of which \$100,000 shall be available immediately.

## Black bass law, enforcement.

46 Stat. 845.  
16 U. S. C. §§ 851-855.

Whaling Treaty Act.  
49 Stat. 1246.  
16 U. S. C., Supp. IV, §§ 901-915.

Mississippi Wild Life and Fish Refuge.  
Construction, maintenance, etc.

Enforcement of Black Bass and Whaling Treaty Acts: To enable the Secretary of Commerce to administer the provisions of the Act entitled "An Act to amend the Act entitled 'An Act to regulate interstate transportation of black bass, and for other purposes', approved May 20, 1926", approved July 2, 1930 (16 U. S. C. 851-856), and to execute the functions imposed upon him by The Whaling Treaty Act, approved May 1, 1936 (16 U. S. C. 901-915), \$17,000, of which amount not to exceed \$10,600 may be expended for personal services in the District of Columbia.

Mississippi Wild Life and Fish Refuge: For construction of buildings, boats, and ponds, for purchase of equipment, including boats, for maintenance, operation, repair, and improvements, including

expenditures for personal services at the seat of government and elsewhere as may be necessary, as authorized in the Act approved June 7, 1924 (16 U. S. C. 721-731), \$17,000.

Fishery laboratory, Little Port Walter, Alaska: For the establishment and equipment of a fishery laboratory at Little Port Walter, Alaska, including the construction of experimental spawning ponds, \$7,500.

The appropriation herein under title III for traveling expenses shall be available, in an amount not to exceed \$750, for expenses of attendance at meetings concerned with the work of the Bureau of Fisheries when incurred on the written authority of the Secretary of Commerce.

Appropriations herein made for propagation of food fishes, inquiry respecting food fishes, fishery industries, fishery market news service, and Alaska fisheries service, shall be available, under such regulations as may be prescribed by the Secretary of Commerce, for paying the cost of packing, crating, drayage, and transporting the household effects (not to exceed six thousand pounds in any one case) of employees of the Bureau of Fisheries when transferred from one official station to another for permanent duty.

43 Stat. 650.  
16 U. S. C. §§ 721-731.

Little Port Walter, Alaska, fishery laboratory.

Attendance at meetings.

Use of certain funds for transferring household effects.

#### PATENT OFFICE

Salaries: For the Commissioner of Patents and other personal services in the District of Columbia, \$3,560,000.

Photolithographing: For producing copies of weekly issue of drawings of patents and designs; reproduction of copies of drawings and specifications of exhausted patents, designs, trade-marks, and other papers, such other papers when reproduced for sale to be sold at not less than cost plus 10 per centum; reproduction of foreign patent drawings; photo prints of pending application drawings; and photostat and photographic supplies and dry mounts, \$180,000: *Provided*, That the headings of the drawings for patented cases may be multigraphed in the Patent Office for the purpose of photolithography.

Miscellaneous expenses: For purchase and exchange of law, professional, and other reference books and publications and scientific books; expenses of transporting publications of patents issued by the Patent Office to foreign governments; directories, furniture, and filing cases; for investigating the question of public use or sale of inventions for two years or more prior to filing applications for patents, and such other questions arising in connection with applications for patents and the prior art as may be deemed necessary by the Commissioner of Patents; for expense attending defense of suits instituted against the Commissioner of Patents, and for other contingent and miscellaneous expenses of the Patent Office, \$62,500.

Printing and binding: For printing the weekly issue of patents, designs, trade-marks, prints, and labels, exclusive of illustrations; and for printing, engraving illustrations, and binding the Official Gazette, including weekly and annual indices, \$805,000; for miscellaneous printing and binding, \$60,000; in all \$865,000.

The appropriation under title III herein for traveling expenses shall be available, in an amount not to exceed \$500, for expenses of attendance at meetings concerned with the work of the Patent Office when incurred on the written authority of the Secretary of Commerce.

This title may be cited as the "Department of Commerce Appropriation Act, 1940".

Approved, June 29, 1939.

Salaries.

Photolithographing.

*Provido.*  
Multigraphed headings.

Miscellaneous expenses.

Printing and binding.

Attendance at meetings.

Short title.



## [CHAPTER 249]

## AN ACT

June 29, 1939

[H. R. 5427]

[Public, No. 157]

Department of  
Labor Appropriation  
Act, 1940.

Making appropriations for the Labor Department for the fiscal year ending June 30, 1940, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Labor Department for the fiscal year ending June 30, 1940, namely:

## DEPARTMENT OF LABOR

## OFFICE OF THE SECRETARY

Salaries.  
*Post*, p. 1319.

*Provisos.*  
Continuance of per-  
sonnel determining  
wage rates.

49 Stat. 1011.  
40 U. S. C., Supp.  
IV, §§ 276a-276a-6.

Continuance of cer-  
tain persons detailed  
from U. S. Employ-  
ment Service.

Salaries limited to  
average rates under  
Classification Act; ex-  
ceptions.

5 U. S. C. §§ 661-674;  
Supp. IV, §§ 673, 673c.

If only one position  
in grade.

Advances in unu-  
sually meritorious  
cases.

Restriction not ap-  
plicable to clerical-  
mechanical service.

No reduction in  
fixed salaries.

5 U. S. C. § 666.  
Transfer without re-  
duction.

Higher salary rates  
permitted.

If only one position  
in a grade.

Department con-  
tingent expenses.  
*Post*, p. 1319.

Salaries: Secretary of Labor, Assistant Secretary, Second Assistant Secretary, and other personal services in the District of Columbia, \$391,680: *Provided*, That persons (not exceeding ten in number) now employed in the determination of wages pursuant to the provisions of the Act entitled "An Act to amend the Act approved March 3, 1931, relating to the rate of wages for laborers and mechanics employed by contractors and subcontractors on public buildings", approved August 30, 1935, may be continued in such employment and paid from the amount herein appropriated without regard to the provisions of the civil-service laws requiring competitive examinations: *Provided further*, That persons (not exceeding five in number) now detailed to the Office of the Secretary from the United States Employment Service may be continued for the fiscal year 1940 in the Office of the Secretary and paid from the amount herein appropriated without regard to the provisions of the civil-service laws requiring competitive examinations: *Provided further*, That in expending appropriations or portions of appropriations, contained in this Act, for the payment of personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, with the exception of the Assistant Secretary and the Second Assistant Secretary of Labor, the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *And provided further*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act, or (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, or (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

## CONTINGENT EXPENSES, DEPARTMENT OF LABOR

Contingent expenses: For contingent and miscellaneous expenses of the offices and bureaus of the Department, for which appropria-

tions for contingent and miscellaneous expenses are not specifically made, including the purchase of stationery, furniture, and repairs to the same, carpets, matting, oilcloths, file cases, towels, ice, brooms, soap, sponges, laundry, streetcar fares not exceeding \$1,200; purchase, exchange, maintenance, and repair of motorcycles and motor-trucks; maintenance, operation, and repair of two motor-propelled passenger-carrying vehicles, to be used only for official purposes; freight and express charges; newspaper clippings not to exceed \$1,200, postage to foreign countries, telegraph and telephone service, typewriters, adding machines, and other labor-saving devices; purchase and exchange of law books, books of reference, newspapers and periodicals, and, when authorized by the Secretary of Labor, dues for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members, not exceeding \$5,300; contract stenographic services; teletype service and tolls (not to exceed \$900); all other necessary miscellaneous expenses not included in the foregoing; and not to exceed \$25,000 for purchase of certain supplies for the Immigration and Naturalization Service; in all, \$233,620: *Provided*, That section 3709 of the Revised Statutes (41 U. S. C. 5) shall not be construed to apply to any purchase or service rendered for the Department of Labor when the aggregate amount involved does not exceed the sum of \$100.

**Traveling expenses:** For all traveling expenses, except traveling expenses incident to the deportation of aliens, under the Department of Labor, including all bureaus and divisions thereunder, \$1,216,700.

**Printing and binding:** For printing and binding for the Department of Labor, including all its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, \$454,800, of which amount not to exceed \$2,000 shall be available immediately.

**Division of Labor Standards, salaries and expenses:** For salaries and expenses, including purchase and distribution of reports, and of material for informational exhibits, in connection with the promotion of health, safety, employment, stabilization, and amicable industrial relations for labor and industry, \$218,500, of which amount not to exceed \$115,000, may be expended for personal services in the District of Columbia.

The appropriation herein for traveling expenses shall be available for expenses of attendance of cooperating officials and consultants at conferences concerned with the work of the Division of Labor Standards when called by the Division of Labor Standards with the written approval of the Secretary of Labor, and shall be available also in an amount not to exceed \$2,000 for expenses of attendance at meetings related to the work of the Division of Labor Standards when incurred on the written authority of the Secretary of Labor.

**Commissioners of conciliation:** To enable the Secretary of Labor to exercise the authority vested in him by section 8 of the Act creating the Department of Labor (5 U. S. C. 611) and to appoint commissioners of conciliation, telegraph and telephone service, and not to exceed \$67,000 for personal services in the District of Columbia, \$325,000: *Provided*, That persons now employed in such conciliation work pursuant to authority contained under this head in the Second Deficiency Appropriation Act, fiscal year 1935, may be continued in such employment and paid from the amount herein appropriated.

**Liaison with the International Labor Organization, Geneva, Switzerland, salaries and expenses:** For a United States Labor Commissioner and other personal services in Geneva, Switzerland; compensation of interpreters, translators, and porters; transportation of

Vehicles.

Books, periodicals, etc.

Immigration and Naturalization Service, purchase of certain supplies.  
*Proviso.*  
Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.

Traveling expenses.  
*Post*, p. 1319.

Printing and binding.

Division of Labor Standards.

Attendance at meetings.

Commissioners of conciliation.

37 Stat. 738.  
5 U. S. C. § 619.

*Proviso.*  
Retention of certain employees.  
49 Stat. 587.

International Labor Organization, Geneva.  
Liaison with; expenses.

employees, their families, and effects, in going to and returning from foreign posts; rent, heat, light, and fuel; hire, maintenance, and operation of motor-propelled passenger-carrying vehicles; purchase and exchange of foreign and domestic books, periodicals, and newspapers; purchase of furniture, stationery, and supplies; printing and binding; postage; telephone and other similar expenses, for which payment may be made in advance; necessary technical or special investigations in connection with matters falling within the scope of the International Labor Organization; allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (5 U. S. C. 118a), not to exceed \$1,700 for any person, and contingent and such other expenses in the United States and elsewhere as the Secretary of Labor may deem necessary, \$21,000.

Division of Public Contracts, salaries and expenses: For personal services in the District of Columbia and elsewhere, in performing the duties imposed by the "Act to provide conditions for the purchase of supplies and the making of contracts by the United States, and for other purposes", approved June 30, 1936 (41 U. S. C. 38), and for other necessary expenses in the field, including contract stenographic reporting services, \$322,120.

## BUREAU OF LABOR STATISTICS

Salaries and expenses: For personal services including temporary statistical clerks, stenographers, and typewriters in the District of Columbia, and including also experts and temporary assistants for field service outside of the District of Columbia; purchase of periodicals, documents, envelopes, price quotations, and reports and materials for reports and bulletins of said Bureau, \$1,012,500, of which amount not to exceed \$860,000 may be expended for the salary of the Commissioner and other personal services in the District of Columbia.

Attendance at meetings. The appropriation herein for traveling expenses shall be available, in an amount not to exceed \$2,000, for expenses of attendance at meetings concerned with the work of the Bureau of Labor Statistics when incurred on the written authority of the Secretary of Labor.

## IMMIGRATION AND NATURALIZATION SERVICE

Departmental salaries. *Post*, p. 1319. Salaries, Office of Commissioner: Departmental salaries: For the Commissioner and other personal services in the District of Columbia, \$563,480.

Field service, salaries. *Post*, p. 1319. Salaries, field service: For salaries of field personnel of the Immigration and Naturalization Service, including the personnel of the Immigration Border Patrol and the services of persons authorized by law to be detailed to the District of Columbia for duty, \$7,900,420: *Provided*, That not to exceed \$36,000 of the total amount herein appropriated shall be available for allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (5 U. S. C. 118a), not to exceed \$1,700 for any person: *Provided further*, That \$130,000 of the amount herein appropriated shall be available only for the payment of extra compensation for overtime services of inspectors and employees of the Immigration and Naturalization Service for which the United States receives reimbursement in accordance with the provisions of the Act of March 2, 1931 (8 U. S. C. 109a-109b): *Provided further*, That no part of this appropriation shall be available for the compensation of assistants to clerks of United States courts: *Provided further*, That notwithstanding the provisions of the Act of February 5, 1917 (8 U. S. C. 109), authorizing the Secretary of Labor to draw annually from the appropriations for the enforcement of the laws regulating the immigration of

*Provisos.*  
Living quarters.  
46 Stat. 818.  
5 U. S. C. § 118a.  
Overtime pay.  
46 Stat. 1467.  
8 U. S. C. §§ 109a, 109b.  
Assistants to clerks of U. S. courts excluded.  
Contract laborers, etc.  
39 Stat. 893.  
8 U. S. C. § 109.

aliens into the United States, \$200,000, or so much thereof as may be necessary, to enforce the law excluding contract laborers and induced and assisted immigrants, not to exceed \$60,000 of the sum herein appropriated may be expended for such purposes, and such expenditure shall be made in strict compliance with the provisions of the Act of July 11, 1919 (18 U. S. C. 201).

General expenses (other than salaries): For all expenses of the Immigration and Naturalization Service, including the Immigration Border Patrol, incurred in the enforcement of the laws regulating the immigration to, the residence in, and the exclusion and deportation from the United States of aliens and persons subject to the Chinese exclusion laws; for enforcement of the laws authorizing a uniform rule for the naturalization of aliens; expenses of officers, clerks, and other employees appointed to enforce said laws; care, detention, maintenance, transportation, and traveling expenses incident to the deportation and removal of aliens and persons subject to the Chinese exclusion laws, as authorized by law, in the United States, and to, through, or in foreign countries; purchase of supplies and equipment, including alterations and repairs; purchase, exchange, operation, maintenance, and repair of motor-propelled vehicles, including passenger-carrying vehicles for official use in field work; arms, ammunition, and accessories; cost of reports of decisions of the Federal courts and digests thereof, books of reference, and foreign language textbooks for official use; verifications of legal papers; refunding of head tax, maintenance bills, and immigration fines, upon presentation of evidence showing conclusively that collection and deposit was made through error; mileage and fees to witnesses subpoenaed on behalf of the United States, and for all other expenses necessary to enforce said laws, \$1,340,000: *Provided*, That not to exceed \$45,000 of the sum herein appropriated shall be available for the purchase, including exchange, of motor-propelled passenger-carrying vehicles: *Provided further*, That the Commissioner of Immigration and Naturalization, with the approval of the Secretary of Labor, may contract with officers and employees stationed outside of the District of Columbia, whose salaries are payable from the appropriation for field salaries of the Immigration and Naturalization Service, for the use, on official business outside of the District of Columbia, of privately owned horses, and the consideration agreed upon shall be payable from the funds herein appropriated: *Provided further*, That not to exceed \$10,000 of the sum herein appropriated may be expended for payment of rewards, when specifically authorized by the Secretary of Labor, for information leading to the detection, arrest, or conviction of persons violating the immigration or naturalization laws.

Immigration stations: For remodeling, repairing (including repairs to the ferryboat, Ellis Island), renovating buildings, and purchase of equipment, \$65,000.

The appropriation herein for traveling expenses shall be available in an amount not to exceed \$400 for expenses of attendance at meetings concerned with the work of the Bureau of Immigration and Naturalization when incurred on the written authority of the Secretary of Labor.

#### CHILDREN'S BUREAU

Salaries and expenses: For expenses of investigating and reporting upon matters pertaining to the welfare of children and child life, and especially to investigate the questions of infant mortality; personal services, including experts and temporary assistants; purchase of reports and material for the publications of the Children's Bureau and for reprints from State, city, and private publications for distri-

41 Stat. 68.  
18 U. S. C. § 201.

General expenses.  
Enforcement of im-  
migration, etc., laws.

Naturalization.

Vehicles.

*Provided*.  
Purchase of motor  
vehicles.

Privately owned  
horses.

Payment of re-  
wards.

Ellis Island, ferry-  
boat repairs.

Attendance at meet-  
ings.

Salaries and ex-  
penses.  
Investigations, etc.

bution when said reprints can be procured more cheaply than they can be printed by the Government, and other necessary expenses, \$364,560, of which amount not to exceed \$316,680 may be expended for personal services in the District of Columbia.

Fair Labor Standards Act.  
Expenses of child labor provisions under.  
52 Stat. 1060.  
29 U. S. C., Supp. IV, ch. 8.

Salaries and expenses, Child Labor Provisions, Fair Labor Standards Act: For all authorized and necessary expenses of the Children's Bureau in performing the duties imposed upon it by the Fair Labor Standards Act of 1938, including personal services and rent in the District of Columbia and elsewhere; supplies; services; equipment; newspapers, books of reference, periodicals, and press clippings; and reimbursement to State and local agencies and their employees for services rendered, as authorized by section 11 of said Act; \$312,720.

#### MATERNAL AND CHILD WELFARE

Social Security Act.  
Maternal and child welfare, salaries and expenses.

49 Stat. 629.  
42 U. S. C., Supp. IV, §§ 701-731.  
*Post*, p. 1320.

Salaries and expenses, maternal and child welfare, Children's Bureau: For all authorized and necessary administrative expenses of the Children's Bureau in performing the duties imposed upon it by title V of the Social Security Act, approved August 14, 1935, including personal services, rentals, repairs, and alterations to buildings, in the District of Columbia and elsewhere; supplies; services; equipment; newspapers, books of reference, periodicals, and press clippings, \$324,000.

Payments under State plans.

In the administration of title V of the Social Security Act for the fiscal year 1940, payments to States for any quarter of the fiscal year 1940 under parts 1, 2, and 3 may be made with respect to any State plan approved under such respective parts by the Chief of the Children's Bureau prior to or during such quarter, but no such payment shall be made with respect to any plan for any period prior to the quarter in which such plan is submitted to the Chief of the Children's Bureau for approval.

#### GRANTS TO STATES FOR MATERNAL AND CHILD HEALTH SERVICES

Grants to States.  
Maternal and child health services.  
*Post*, p. 1320.

49 Stat. 629.  
42 U. S. C., Supp. IV, §§ 701-710.  
*Post*, p. 1380.  
*Proviso*.  
Supplemental aid not included in State allotment.  
49 Stat. 629, 630.

Grants to States for maternal and child health services, Children's Bureau: For grants to States for the purpose of enabling each State to extend and improve services for promoting the health of mothers and children, as authorized in title V, part 1, of the Social Security Act approved August 14, 1935 (42 U. S. C. 701), \$3,800,000: *Provided*, That any allotment to a State pursuant to section 502 (b) shall not be included in computing for the purposes of subsections (a) and (b) of section 504 an amount expended or estimated to be expended by the State.

#### GRANTS TO STATES FOR SERVICES FOR CRIPPLED CHILDREN

Services for crippled children.  
*Post*, p. 1320.

49 Stat. 631.  
42 U. S. C., Supp. IV, §§ 711-720.

Grants to States for services for crippled children, Children's Bureau: For the purpose of enabling each State to extend and improve services for crippled children, as authorized in title V, part 2, of the Social Security Act, approved August 14, 1935 (42 U. S. C. 711), \$2,850,000.

#### GRANTS TO STATES FOR CHILD-WELFARE SERVICES

Child-welfare services.  
*Post*, p. 1320.

Grants to States for child-welfare services, Children's Bureau: For grants to States for the purpose of enabling the United States, through the Children's Bureau, to cooperate with State public-welfare agencies in establishing, extending, and strengthening public-welfare services for the care of homeless or neglected children, or children in danger

of becoming delinquent, as authorized in title V, part 3, of the Social Security Act, approved August 14, 1935 (42 U. S. C. 721), \$1,500,000.

The appropriation herein for traveling expenses shall be available for expenses of attendance of cooperating officials and consultants at conferences concerned with the administration of work of the Children's Bureau under the Fair Labor Standards Act and under title V, parts 1, 2, and 3, of the Social Security Act when called by the Children's Bureau with the written approval of the Secretary of Labor, and shall be available also, in an amount not to exceed \$7,000, for expenses of attendance at meetings related to the work of the Children's Bureau when incurred on the written authority of the Secretary of Labor.

49 Stat. 633.  
42 U. S. C., Supp.  
IV, § 721.

52 Stat. 1060.  
29 U. S. C., Supp.  
IV, ch. 8.

Attendance at meet-  
ings.

#### WOMEN'S BUREAU

Salaries and expenses: For carrying out the provisions of the Act entitled "An Act to establish in the Department of Labor a bureau to be known as the Women's Bureau", approved June 5, 1920 (29 U. S. C. 11-16), including personal services in the District of Columbia, not to exceed \$150,000; purchase of material for reports and educational exhibits, \$151,230.

The appropriation herein for traveling expenses shall be available in an amount not to exceed \$2,500 for expenses of attendance at meetings concerned with the work of the Women's Bureau when incurred on the written authority of the Secretary of Labor.

Salaries and ex-  
penses.

41 Stat. 987.  
29 U. S. C. §§ 11-16.

Attendance at meet-  
ings.

#### UNITED STATES EMPLOYMENT SERVICE

Salaries: For personal services in carrying out the provisions of the Act entitled "An Act to provide for the establishment of a national employment system, and for cooperation with the States in the promotion of such system, and for other purposes", approved June 6, 1933 (29 U. S. C. 49-491), including the Veterans' Placement Service, the Farm Placement Service, and the District of Columbia Public Employment Center, \$1,095,000, of which amount not to exceed \$580,000 may be expended for personal services in the Department in the District of Columbia.

Miscellaneous expenses (other than salaries): For all administrative expenses, other than salaries, including the Veterans' Placement Service, the Farm Placement Service, and the District of Columbia Public Employment Center, in carrying out the provisions of the Act entitled "An Act to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and for other purposes", approved June 6, 1933 (U. S. C., title 29, secs. 49-491); rent in the District of Columbia and elsewhere; law books, books of reference, newspapers and periodicals, supplies and equipment, telegraph and telephone service, and miscellaneous expenses, \$47,640.

Payments to States: For payment to the several States in accordance with the provisions of the said Act of June 6, 1933 (29 U. S. C. 49-491), as amended, \$3,480,000, of which not to exceed \$165,000 shall be available immediately: *Provided*, That apportionments for the fiscal year 1940 shall be on the basis of a total apportionment to all States of \$3,000,000: *Provided further*, That the unused balances of amounts apportioned to the several States for the fiscal year 1938 for establishing and maintaining public employment offices shall be reapportioned among all the States, in accordance with said Act of June 6, 1933, as amended, without regard to the sufficiency therefor of the fund established under this head for payment to States by the Department of Labor Appropriation Act, 1938.

Salaries.

48 Stat. 113; 52 Stat.  
1244.  
29 U. S. C. §§ 49-491;  
Supp. IV, § 49d.

Miscellaneous ex-  
penses.

48 Stat. 113; 52 Stat.  
1244.  
29 U. S. C. §§ 49-491;  
Supp. IV, § 49d.

Payments to States.  
29 U. S. C. §§ 49-491;  
Supp. IV, § 49d.

*Provisos.*  
Basis of apportion-  
ments, 1940.  
Reapportionment of  
unused balances.

50 Stat. 302.

Attendance at meetings.

The appropriation herein for traveling expenses shall be available in an amount not to exceed \$4,000 for expenses of attendance at meetings concerned with the work of the United States Employment Service when incurred on the written authority of the Secretary of Labor.

#### WAGE AND HOUR DIVISION

Salaries.  
*Post*, p. 1321.

52 Stat. 1060.  
29 U. S. C., Supp.  
IV, ch. 8.  
*Post*, p. 1321.

Miscellaneous expenses.

29 U. S. C., Supp.  
IV, ch. 8.

*Proviso.*  
Allotment of funds.

Attendance at meetings.

Payment forbidden persons whose nomination rejected by Senate.

Citizenship requirements.  
*Post*, p. 1337.

*Proviso.*  
Interpreters in Immigration and Naturalization Service.

Short title.

**Salaries:** For all personal services for the Wage and Hour Division necessary in performing the duties imposed upon it by the Fair Labor Standards Act of 1938, \$2,339,000, of which amount not to exceed \$1,162,170 may be expended for personal services in the District of Columbia.

**Miscellaneous expenses (other than salaries):** For all authorized and necessary expenses, other than salaries, of the Wage and Hour Division in performing the duties imposed upon it by the Fair Labor Standards Act of 1938, including rent in the District of Columbia and elsewhere, contract stenographic reporting services, purchase (not to exceed \$1,250), maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, law books, books of reference, periodicals, manuscripts and special reports, newspapers, and press clippings, supplies, office equipment, advertising, postage, telephone and telegraph service, reimbursement to State, Federal, and local agencies and their employees for services rendered, \$207,200: *Provided*, That the Secretary of Labor may allot or transfer, with the approval of the Director of the Bureau of the Budget, funds from this appropriation to any bureau or office of the Department of Labor to enable such agency to perform services for the Wage and Hour Division.

The appropriation herein for traveling expenses shall be available in an amount not to exceed \$4,750 for expenses of attendance at meetings concerned with the work of the Wage and Hour Division when incurred on the written authority of the Secretary of Labor.

**SEC. 2.** No part of any appropriation contained in this Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve of the nomination of said person.

**SEC. 3.** No part of any appropriation contained in this Act or authorized hereby to be expended shall be used to pay the compensation of any officer or employee of the Government of the United States, or of any agency the majority of the stock of which is owned by the Government of the United States, whose post of duty is in continental United States unless such officer or employee is a citizen of the United States or a person in the service of the United States on the date of the approval of this Act who being eligible for citizenship has filed a declaration of intention to become a citizen or who owes allegiance to the United States: *Provided*, That this section shall not apply to the employment of interpreters in the Immigration and Naturalization Service (not to exceed ten permanent employees and such temporary employees as are required from time to time) where competent citizen interpreters are not available.

This Act may be cited as the "Department of Labor Appropriation Act, 1940".

Approved, June 29, 1939.

## [CHAPTER 250]

## AN ACT

To continue in effect until June 30, 1942, the Act entitled "An Act to regulate interstate and foreign commerce in petroleum and its products by prohibiting the shipment in such commerce of petroleum and its products produced in violation of State law, and for other purposes", approved February 22, 1935, as amended.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 13 of the Act entitled "An Act to regulate interstate and foreign commerce in petroleum and its products by prohibiting the shipment in such commerce of petroleum and its products produced in violation of State law, and for other purposes", approved February 22, 1935, as amended by the Act approved June 14, 1937 (50 Stat. 257), is further amended so as to read:

"SEC. 13. This Act shall cease to be in effect on June 30, 1942."

Approved, June 29, 1939.

June 29, 1939  
[S. 1392]  
[Public, No. 158]

Interstate, etc.,  
shipment of petroleum  
and its products.  
Existing provisions  
continued.

49 Stat. 33; 50 Stat.  
257.  
15 U. S. C., Supp.  
IV, § 715l.  
Duration of Act.

## [CHAPTER 252]

## JOINT RESOLUTION

Making appropriations for work relief and relief, for the fiscal year ending June 30, 1940.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That this joint resolution may be cited as the "Emergency Relief Appropriation Act of 1939".

## WORK PROJECTS ADMINISTRATION

SECTION 1. (a) In order to continue to provide work for needy persons on useful public projects in the United States and its Territories and possessions, there is hereby appropriated to the Work Projects Administration, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1940, \$1,477,000,000, together with all balances of appropriations under subsection (1) of section 1 of the Emergency Relief Appropriation Act of 1938, as supplemented by Public Resolution Numbered 1 and Public Resolution Numbered 10 of the Seventy-sixth Congress, which remain unobligated on June 30, 1939, including such unobligated balances of funds transferred to other agencies for non-construction projects under the provisions of section 3 of such Act of 1938, as supplemented, or set aside for specific purposes in accordance with other law: *Provided*, That notwithstanding any other provision of law, funds heretofore irrevocably set aside for the completion of Federal construction projects under authority of the Emergency Relief Appropriation Act of 1938, as amended, shall remain available until June 30, 1940, for such completion, and any such funds which remain unobligated by reason of the completion or abandonment of any such Federal construction project shall be returned to this appropriation.

(b) The funds provided in this section shall be available for (1) administration; (2) the prosecution of projects approved by the President under the provisions of the Emergency Relief Appropriation Acts of 1935, 1936, 1937, and 1938; and (3) the prosecution of the following types of public projects, Federal and non-Federal, subject to the approval of the President, namely: Highways, roads, and streets; public buildings; parks, and other recreational facilities, including buildings therein; public utilities; electric transmission and distribution lines or systems to serve persons in rural areas, including projects sponsored by and for the benefit of nonprofit and coopera-

June 30, 1939  
[H. J. Res. 326]  
[Pub. Res., No. 24]

Emergency Relief  
Appropriation Act of  
1939.

Continuation of  
work relief and re-  
lief, appropriation for  
designated objects.

Balances reapprop-  
riated.  
52 Stat. 809.  
15 U. S. C., Supp.  
IV, ch. 16 (note).  
*Ante*, pp. 607, 678.

*Provided*.  
Completion of Fed-  
eral construction proj-  
ects, funds available.

Objects specified.

49 Stat. 115, 1608; 50  
Stat. 352; 52 Stat. 809.  
15 U. S. C., Supp.  
IV, ch. 16 (note).  
Types of projects,  
subject to Executive  
approval.  
Highways, public  
buildings, parks, etc.  
Public utilities.



Sewer systems, water supply, airports, flood control, conservation, etc.

Insect, plant, and fungus pest eradication.  
Lime, etc., production.

Educational, etc., projects.

*Proviso.*  
Location of employment.

Limitation on use of funds for other than labor costs.

Increases allowed.

*Proviso.*  
Restriction on purchase of construction equipment, etc.

Non-Federal projects; allocation of expenses.

Work Projects Administration, administrative expenses.

Statements of personnel, etc., to Congress.

tive associations; sewer systems, water supply, and purification systems; airports and other transportation facilities; flood control; drainage; irrigation; conservation, including projects sponsored by conservation districts and other bodies duly organized under State law for soil erosion control and conservation, preference being given to projects which will contribute to the rehabilitation of individuals and an increase in the national income; eradication of insect, plant, and fungus pests; the production of lime and marl for fertilizing soil for distribution to farmers under such conditions as may be determined by the sponsors of such projects under the provisions of State law; educational, professional, clerical, cultural, recreational, production, and service projects, including training for domestic service; aid to self-help and cooperative associations for the benefit of needy persons; and miscellaneous projects: *Provided, however,* That all persons employed on work projects shall, so far as practicable, be employed on projects nearest their respective homes.

(c) The funds appropriated in this section, exclusive of those used for administrative expenses, shall be so administered that expenditure authorizations for other than labor costs for all the work projects financed from such funds in any State, Territory, possession, or the District of Columbia shall not exceed an average for the fiscal year ending June 30, 1940, of \$6 per month per worker, except that the Commissioner of Work Projects (hereinafter referred to as the "Commissioner") may authorize an increase in the average in cases where the increased cost of materials would have the effect of raising such average above \$6 but in no event shall the increase in such average exceed the amount necessary to meet such increase in material costs and in no event shall such average exceed \$7: *Provided,* That the funds appropriated in this section shall not be used for the purchase of any construction equipment or machinery in any case in which such equipment or machinery can be rented at prices determined by the Commissioner to be reasonable, and his determinations, made in conformity with rules and regulations prescribed by him, shall be final and conclusive.

(d) On and after January 1, 1940, in administering the funds appropriated in this section, not to exceed three-fourths of the total cost of all non-Federal projects thereafter approved to be undertaken within any State, Territory, possession, or the District of Columbia, with respect to which any such funds are used, shall be borne by the United States, and not less than one-fourth of such total cost shall be borne by the State and its political subdivisions, or by the Territory, possession, or the District of Columbia, as the case may be. The facts constituting compliance with the requirements of this subsection shall be determined by the Commissioner, and his determinations, made in conformity with rules and regulations prescribed by him, shall be final and conclusive.

(e) The amount which may be obligated for administrative expenses of the Work Projects Administration in the District of Columbia and in the field shall not exceed in the aggregate the sum of \$50,000,000 during the fiscal year 1940, of which sum the amounts so to be obligated for the following respective purposes shall not exceed these sums: Salaries, \$42,500,000; communication service, \$600,000; travel, \$4,200,000; and printing and binding, \$500,000.

The Commissioner shall transmit to Congress, on the first day of each regular session thereof, a statement showing for each State the names, addresses, positions, and compensation of all employees of the Work Projects Administration whose compensation is at the rate of \$1,200 per annum or more. For the purposes of this paragraph, the term "State" shall include the Territories, possessions, and the District of Columbia.

(f) The functions heretofore vested in the Works Progress Administration are authorized to be carried out until June 30, 1940, by the Work Projects Administration subject to the provisions of this joint resolution and such latter Administration is hereby extended until such date to carry out the purposes of this section.

(g) The President may detail a commissioned officer on the active list of the United States Army to perform the functions of the office of Commissioner of Work Projects, without loss of or prejudice to his status as such officer. Any commissioned officer so detailed shall receive, in addition to his pay and allowances as such officer, an amount sufficient to make his total compensation \$10,000 per annum while he is so detailed.

Works Progress Administration, functions transferred.

Detail of Army officer as Commissioner of Work Projects.

Compensation.

## NATIONAL YOUTH ADMINISTRATION

SEC. 2. (a) In order to provide assistance to needy young persons, there is hereby appropriated to the National Youth Administration, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1940, \$100,000,000, together with all balances of appropriations for such Administration which remain unobligated on June 30, 1939, and such amounts shall be available for (1) administration; (2) the prosecution of projects approved by the President for the National Youth Administration under the provisions of the Emergency Relief Appropriation Act of 1938; and (3) to provide, subject to the approval of the President, on projects, Federal and non-Federal, of the types specified under section 1 hereof for the Work Projects Administration, part-time work and training to needy young persons who are no longer in regular attendance at school and who have been unable to obtain employment, and to enable needy young persons to continue their education at schools, colleges, and universities.

(b) The Administrator of the National Youth Administration shall fix the monthly earnings and hours of work for youth workers engaged on work projects of such Administration financed in whole or in part from the appropriation in this section, but such determination shall not have the effect of establishing a national average labor cost per youth worker on such projects during the fiscal year 1940 substantially different from the national average labor cost per such worker on such projects prevailing at the close of the fiscal year 1939.

(c) Not to exceed 5 per centum of the amount made available in this section may be used for administration.

(d) The National Youth Administration is hereby extended until June 30, 1940, to carry out the purposes of this section.

Appropriation to provide assistance to needy young persons.

Balances reappropriated.

Availability for designated objects.

Determination of monthly earnings and hours of work for youth workers; limitation.

Amount for administration uses.

Extension to June 30, 1940.

## DEPARTMENT OF AGRICULTURE

SEC. 3. (a) In order to continue to provide assistance through rural rehabilitation and relief to needy farmers and relief to other needy persons in the United States, its Territories and possessions, there is hereby appropriated to the Department of Agriculture, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1940, \$143,000,000, together with the balance of the appropriation under subsection (3) of section 1 of the Emergency Relief Appropriation Act of 1938 which remains unobligated on June 30, 1939.

(b) The funds provided in this section shall be available for (1) administration (not to exceed the amount obligated for administration in the fiscal year ending June 30, 1939); (2) farm debt adjustment service and making and servicing of loans under this

Rural rehabilitation and relief. Appropriation for.

Balance reappropriated. 52 Stat. 810.

Objects designated. Administration.

Farm debt adjustment service.

Loans; relief.  
Projects approved  
for Farm Security Ad-  
ministration.  
52 Stat. 810.  
Types of projects.

Disability or death  
compensation and  
benefits.

Post, p. 936.

Farm Security Ad-  
ministration extended  
to June 30, 1940.

section and prior law; (3) loans; (4) relief; (5) the prosecution of projects approved by the President for the Farm Security Administration under the provisions of the Emergency Relief Appropriation Act of 1938; and (6) the following types of useful public projects, Federal and non-Federal, subject to the approval of the President: (a) Projects involving provision of additional water facilities, (b) projects involving construction and operation of migratory labor camps, and (c) projects involving land development to provide work relief for homesteaders on rural rehabilitation projects.

(c) In making any relief payments under this section, the Secretary of Agriculture is authorized to require of employable recipients of such payments the performance of work on useful public projects, Federal and non-Federal, including work on private or public land in furtherance of the conservation of natural resources, and the provisions of section 24 of this joint resolution, relating to disability or death compensation and benefits, shall apply to such recipients while performing such work.

(d) The Farm Security Administration within the Department of Agriculture is hereby extended until June 30, 1940, to carry out the purposes of this section.

#### PUERTO RICO RECONSTRUCTION ADMINISTRATION

Continuation of  
rural rehabilitation,  
etc.; appropriation for.

Balances reappro-  
priated.

52 Stat. 810; ante,  
p. 634.

Objects specified.

Projects approved  
for Reconstruction  
Administration.  
52 Stat. 810.

SEC. 4. (a) In order to continue rural rehabilitation for needy persons in Puerto Rico, and for other projects described in this section, there is hereby appropriated to the Puerto Rico Reconstruction Administration, Department of the Interior, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1940, \$7,000,000, together with the balance of the appropriation under subsection (4) of section 1 of the Emergency Relief Appropriation Act of 1938, as supplemented by the Second Deficiency Act, fiscal year 1939, which remains unobligated on June 30, 1939.

(b) The funds provided in this section shall be available for (1) administration; (2) loans; (3) the prosecution of projects approved by the President for the Puerto Rico Reconstruction Administration under the provisions of the Emergency Relief Appropriation Act of 1938; and (4) subject to the approval of the President, for projects involving rural rehabilitation of needy persons.

#### INDIAN SERVICE

Continuation of re-  
lief and rural rehabili-  
tation; appropriation  
for.

Objects specified.

52 Stat. 810.

SEC. 5 (a) In order to continue to provide relief and rural rehabilitation for needy Indians in the United States, there is hereby appropriated to the Bureau of Indian Affairs, Department of the Interior, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1940, \$1,350,000.

(b) The funds provided in this section shall be available for (1) administration, not to exceed \$67,500; (2) loans; (3) relief; (4) the prosecution of projects approved by the President for the Farm Security Administration for the benefit of Indians under the provisions of the Emergency Relief Appropriation Act of 1938; and (5) subject to the approval of the President, for projects involving rural rehabilitation of needy Indians.

#### ADMINISTRATIVE AGENCIES

Administrative ex-  
penses of designated  
agencies; appropria-  
tion for.

SEC. 6. In order to provide for administrative expenses incidental to carrying out the purposes of this joint resolution, there is hereby appropriated to the following agencies, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1940: (1) General Accounting Office, \$5,225,000; (2) Treasury Depart-

ment: (a) Procurement Division, Branch of Supply, \$5,200,000; (b) Division of Disbursement, \$2,500,000; (c) Office of the Treasurer, \$675,000; (d) Secret Service Division, \$250,000; (e) Office of Commissioner of Accounts and Deposits and Division of Bookkeeping and Warrants, \$5,973,825, for administrative accounting; total, Treasury Department, \$14,598,825; (3) Bureau of the Budget, \$26,175; (4) Public Health Service, \$300,000; and (5) Civil Aeronautics Authority, \$250,000.

#### UNITED STATES EMPLOYEES' COMPENSATION COMMISSION

SEC. 7. (a) In order to carry out the provisions of section 24 hereof, there is hereby appropriated to the United States Employees' Compensation Commission, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1940, \$5,250,000: *Provided*, That so much of the appropriation in this section, as the Commission, with the approval of the Director of the Bureau of the Budget, estimates and certifies to the Secretary of the Treasury will be necessary for the payment of such compensation and administrative expenses, shall be set aside in a special fund to be available and to be administered by the Commission during the fiscal year 1940 for such purposes; and after June 30, 1940, such special fund shall be added to and become part of the "Employees' Compensation Fund, Emergency Relief", set up in accordance with the provisions of the Independent Offices Appropriation Act, 1939: *Provided further*, That the special fund herein authorized shall not be limited in its use to the United States, its Territories, and possessions.

(b) The funds appropriated in this section, together with the balance of funds heretofore appropriated or allocated to such Commission under the Emergency Relief Appropriation Act of 1938 or prior emergency relief appropriation acts, shall be available for payments to Federal agencies for medical and hospital services supplied by such departments and establishments in accordance with regulations of the Commission for injured persons entitled to benefits under section 24 hereof.

(c) Not to exceed \$75,000 of the amount appropriated in this section shall be available during the fiscal year 1940 for the purposes specified in the appropriation for salaries and expenses of such Commission in the Independent Offices Appropriation Act, 1940.

Appropriation for.  
*Post*, p. 936.

*Provisos.*  
Special fund created.

To become part of  
"Employees' Compensation Fund,  
Emergency Relief."  
52 Stat. 415.  
Use; geographical  
provision.

Use of funds for  
medical and hospital  
services.  
52 Stat. 810.

Amount available  
for purposes specified.

*Ante*, p. 530.

#### EXECUTIVE OFFICE OF THE PRESIDENT

SEC. 8. There is hereby appropriated to the Executive Office of the President, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1940, \$850,000. Such sum shall be available for administrative expenses in carrying out the functions heretofore vested in the National Emergency Council and transferred to the Executive Office of the President and the functions of the Radio Division of the Federal Security Agency. Such functions are authorized to be carried out until June 30, 1940. Of the sum appropriated in this section not to exceed \$20,000 may be transferred to such Radio Division.

Functions transferred to Executive  
Office; appropriation  
for.

#### NATIONAL RESOURCES PLANNING BOARD

SEC. 9. There is hereby appropriated to the National Resources Planning Board, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1940, \$750,000. Such sum shall be available for administrative expenses in carrying out the functions heretofore vested in the National Resources Committee, and such functions are authorized to be carried out until June 30,

Functions heretofore  
vested in National Resources  
Committee; appropriation  
for.

Composition of Board, fiscal year 1940.

1940. On and after July 1, 1939, and until June 30, 1940, said Board shall be composed of three members to be appointed by the President from widely separated sections of the United States, by and with the advice and consent of the Senate.

Total appropriations, \$1,755,600,000.

#### GENERAL AND SPECIAL PROVISIONS

Apportionment and distribution of funds.

SEC. 10. (a) Funds appropriated in this joint resolution to the various Federal agencies shall be so apportioned and distributed over the period ending June 30, 1940, and shall be so administered during such period as to constitute the total amount that will be furnished to such agencies during such period for the purposes herein set forth.

Restriction on use.

(b) The funds made available by this joint resolution shall be used only for work relief or relief for persons in need except as otherwise specifically provided herein.

Allocation of funds to other Federal agencies for operation of designated projects.

SEC. 11. (a) The Commissioner is authorized to allocate not to exceed \$60,000,000 to other Federal agencies for the operation, under such rules and regulations as the Commissioner may prescribe, of projects of the type specified in subsection (b) of section 1 which are within the scope of the functions usually carried out by such agencies, including administrative expenses of such agencies incident to such operation: *Provided*, That not to exceed 4 per centum of the total amount so allocated to any such agency shall be used for such administrative expenses: *Provided further*, That no project shall be prosecuted under any allocation under this subsection upon which the percentage of nonrelief persons employed exceeds 10 per centum of the total number of persons employed.

*Proviso.*  
Limitation on administrative expenses.

Employment of nonrelief persons restricted.

Work forbidden unless funds for completion allocated; exceptions.

(b) No Federal construction project, except flood control and water conservation projects authorized under other law, shall be undertaken or prosecuted under the appropriations in this joint resolution unless and until there shall have been allocated and irrevocably set aside Federal funds sufficient for its completion.

Non-Federal projects, requirements.

(c) No non-Federal project shall be undertaken or prosecuted under appropriations under this joint resolution (except under section 4) unless and until the sponsor has made a written agreement to finance such part of the entire cost thereof as the head of the agency, if the agency administers sponsored projects, determines under the circumstances is an adequate contribution taking into consideration the financial ability of the sponsor. The head of the agency shall prescribe rules and regulations relating to the valuation of contributions in kind by sponsors of projects through furnishing the use of their own facilities and equipment and the services of their own employees, which shall also allow credit only to the extent that the furnishing of such contributions represents a financial burden which is undertaken by the sponsors on account of Work Projects Administration projects, or other sponsored projects.

Rules and regulations by head of agency.

Limitation on amount for construction of buildings.

SEC. 12. None of the funds made available by this joint resolution shall be expended on the construction of any building (1) the total estimated cost of which, in the case of a Federal building, exceeds \$50,000, or (2) the portion of the total estimated cost of which payable from Federal funds, in the case of a non-Federal building, exceeds \$52,000, unless the building is one (a) for which the project has been approved by the President on or prior to July 1, 1939, or for which an issue of bonds has been approved at an election held, on or prior to such date, or (b) for the completion of which funds have been allocated and irrevocably set aside under prior relief appropriation Acts.

SEC. 13. (a) The various agencies for which appropriations are made in this joint resolution are authorized to receive from sponsors of non-Federal projects contributions in services, materials, or money, such money to be deposited with the Treasurer of the United States. Such contributions shall be expended or utilized as agreed upon between the sponsor and such agencies.

Disposition of sums received from sponsors of non-Federal projects.

(b) All receipts and collections of Federal agencies by reason of operations in consequence of appropriations made in this joint resolution, except cash contributions of sponsors of projects and amounts credited to revolving funds authorized by this joint resolution, shall be covered into the Treasury as miscellaneous receipts.

Treatment of receipts and collections incident to operations.

(c) Except as authorized in this joint resolution, no allocation of funds shall be made to any other Federal agency from the appropriation in this joint resolution for any Federal agency.

Federal agency allocating funds to any other Federal agency.

SEC. 14. Agencies receiving appropriations under this joint resolution are authorized to prescribe such rules and regulations as may be necessary to carry out the purposes for which such appropriations are made.

Rules to be prescribed.

SEC. 15. (a) The Commissioner shall fix a monthly earning schedule for persons engaged upon work projects financed in whole or in part from funds appropriated by section 1 which shall not substantially affect the current national average labor cost per person of the Work Projects Administration. After August 31, 1939, such monthly earning schedule shall not be varied for workers of the same type in different geographical areas to any greater extent than may be justified by differences in the cost of living. The Commissioner shall require that the hours of work for all persons engaged upon work projects financed in whole or in part by funds appropriated by section 1 shall (1) be one hundred and thirty hours per month except that the Commissioner, in his discretion, may require a lesser number of hours of work per month in the case of relief workers with no dependents and the earnings of such workers shall be correspondingly reduced, and (2) not exceed eight hours in any day and shall not exceed forty hours in any week.

Monthly earning schedule.

Differentials, restriction.

Hours of work.

(b) The Commissioner may authorize exemptions from the above limitations of monthly earnings and hours of work to protect work already done on a project; to permit making up lost time; in the case of an emergency involving the public welfare and in the case of supervisory personnel employed on work projects.

Exemptions authorized.

SEC. 16. (a) In employing or retaining in employment on Work Projects Administration work projects, preference shall be determined, as far as practicable, on the basis of relative needs and shall, where the relative needs are found to be the same, be given in the following order: (1) Veterans of the World War and the Spanish-American War and veterans of any campaign or expedition in which the United States has been engaged (as determined on the basis of the laws administered by the Veterans' Administration) who are in need and are American citizens; and (2) other American citizens, Indians and other persons owing allegiance to the United States who are in need.

Preferences in employment.

(b) There shall be removed from employment on Work Projects Administration projects all relief workers, excepting veterans, who have been continuously employed on such projects for more than eighteen months, and any relief worker so removed shall be ineligible to be restored to employment on such projects until after (a) the expiration of thirty days after the date of his removal, and (b) recertification of his eligibility for restoration to employment on such projects. In the case of relief workers whose period of eighteen

Removal provisions, relief workers continuously employed for more than 18 months; exception.

months of continuous employment expires before September 1, 1939, this section shall apply to require their removal not later than August 31, 1939, rather than on such expiration date.

Qualifications for employment.

(c) In considering employment of persons upon work projects prosecuted under the appropriations contained in this joint resolution, the agency providing the employment shall determine whether such persons are able to perform the work on work projects to which they can be assigned and no person shall be employed or retained for employment on any such project whose work habits are such or work record shows that he is incapable of performing satisfactorily the work to which he may be assigned on the project.

Uncertified relief workers, employment restriction.

(d) There shall be removed from employment on Work Projects Administration projects all relief workers whose needs for employment have not been certified by, and, except as provided in section 17 (b), no relief worker shall be employed on such projects until after his need for employment has been certified by (a) a local public certifying agency or (b) the Work Projects Administration where no such agency exists or where the Work Projects Administration certifies by reason of its refusal to accept certification by local public agencies.

Aliens, employment restriction.

(e) No alien shall be given employment or continued in employment on any work project prosecuted under the appropriations contained in this joint resolution and no part of the money appropriated in this joint resolution shall be available to pay any person who has not made or who does not make affidavit as to United States citizenship, such affidavit to be considered prima facie evidence of such citizenship.

Periodic investigations of relief rolls; eliminations.

(f) The Commissioner shall cause a periodic investigation to be made of the rolls of relief employees on work projects, and shall eliminate from the rolls those not in actual need, such investigation to be made so that each case is investigated not less frequently than once every six months.

Refusal of private employment offer.

SEC. 17. (a) No person in need who refuses a bona fide offer of private employment under reasonable working conditions which pays the prevailing wage for such work in the community where he resides and who is capable of performing such work shall be employed or retained in employment on work projects under the funds appropriated in this joint resolution for the period such private employment would be available.

Restoration of employment status after private employment.

(b) Any person who takes such private employment shall at the expiration thereof be entitled to immediate resumption of his previous employment status with the Work Projects Administration if he is still in need and if he has lost the private employment through no fault of his own, and if he has first drawn all the benefits of unemployment compensation that shall have accrued to him during his term in private employment and which are available to him.

Provisions for avoiding certain competition.

(c) In order to insure the fulfillment of the purposes for which such appropriations are made and to avoid competition between the Work Projects Administration and other Federal or non-Federal agencies in the employment of labor on projects of any nature whatsoever, financed in whole or in part by the Federal Government, no person in need shall be eligible for employment on any work project of the Work Projects Administration who has refused to accept employment on any other Federal or non-Federal project at earnings comparable with or higher than the earnings established for similar work on work projects of the Work Projects Administration: *Provided further*, That any person in need who has been engaged on any Federal or non-Federal project and whose service has been

*Proviso.*  
*Exception.*

regularly terminated through no fault of his own shall not lose his eligibility for reemployment on any other Federal or non-Federal work project on account of such previous employment.

SEC. 18. (a) No person shall be employed or retained in employment in any administrative position, or in any supervisory position on any project, under the appropriations in this joint resolution unless such person before engaging in such employment (or prior to August 1, 1939, in the case of any person employed before such date who has not taken an oath of office) subscribes to the following oath:

"I, A B, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office (or employment) on which I am about to enter (or which I now occupy). So help me God."

The head of the agency shall designate administrative and supervisory employees to administer such oath, but no fee shall be charged therefor.

(b) No portion of the appropriation made under this joint resolution shall be used to pay any compensation after September 30, 1939, to any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States through force or violence.

SEC. 19. In carrying out the purpose of the appropriations in this joint resolution, the Secretary of the Treasury with the approval of the Director of the Bureau of the Budget, is authorized to prescribe rules and regulations for the establishment of special funds for any agency receiving an appropriation under this joint resolution, in the nature of revolving funds for use, until June 30, 1940, in the purchase, repair, distribution, or rental of materials, supplies, equipment, and tools.

SEC. 20. The provision of section 3709 of the Revised Statutes (41 U. S. C. 5) shall not apply to any purchase made or service procured in connection with the appropriations in this joint resolution when the aggregate amount involved is less than \$300.

SEC. 21. The appropriations in this joint resolution for administrative expenses and such portions of other appropriations in this joint resolution as are available for administrative expenses may be obligated in the amounts which the agency, with the approval of the Director of the Bureau of the Budget, shall have certified to the Secretary of the Treasury as necessary for personal services, in the District of Columbia and elsewhere, and for contract stenographic reporting services, supplies and equipment; purchase and exchange of lawbooks, books of reference, directories, and periodicals, newspapers and press clippings; travel expenses, including expenses of attendance at meetings of officials and employees of the agency on official business; rental at the seat of government and elsewhere; purchase, operation, and maintenance of motor-propelled passenger-carrying vehicles; printing and binding and such other expenses as may be necessary for the accomplishment of the objectives of this joint resolution.

SEC. 22. (a) The provisions of Executive Order Numbered 7916, dated June 24, 1938, shall not apply to positions the compensation of which is payable from appropriations contained in this joint resolution, and such appropriations shall not be available for the compensation of the incumbent of any position placed in the competitive classified civil service of the United States after January 10, 1939.

(b) In carrying out the purposes of this joint resolution the agencies receiving appropriations herein or allocations under such appropria-

Oath of office.

Designation of employee to administer.

Denial of compensation to any person advocating, etc., overthrow of U. S. Government.

Establishment of revolving funds for materials, supplies, etc.

Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.

Administrative expenses, etc.

Executive Order No. 7916, provisions inapplicable to positions hereunder.

Acceptance of uncompensated services.



Personal services; appointments without regard to civil-service or classification laws.

5 U. S. C. §§ 661-674; Supp. IV, §§ 673, 673c.

Federal administrative, etc., positions in States; appointments.

Separations; retention of appointees according to State population.

*Proviso.*  
Soldiers, sailors, etc., preferential status.

Disability or death compensation and benefits.

48 Stat. 351.  
5 U. S. C. § 796.  
Employees excepted.  
*Ante*, p. 931.  
*Proviso.*  
Cases within purview of State, etc., workmen's compensation laws.

Projects excluded.

Theater project operation after June 30, 1939; exception.

Projects sponsored solely by Work Projects Administration, after August 31, 1939.  
Payment of accrued wages, etc., during periods designated.

Settlement of private damage claims.

*Ante*, pp. 927, 929.

tions are authorized to accept and utilize such voluntary and uncompensated services, appoint, without regard to civil-service laws, such officers and employees, and utilize, with the consent of the head of the Federal agency by which they are employed, such Federal officers and employees, and with the consent of the State such State and local officers and employees at such compensation as shall be determined by the head of the agency involved, as may be necessary, and prescribe their authorities, duties, responsibilities, and tenure, and, without regard to the Classification Act of 1923, as amended, to fix the compensation of any officers and employees so appointed.

(c) Appointments to Federal positions of an administrative or advisory capacity under the appropriations in this joint resolution in any State shall be made from among the bona fide citizens of that State so far as not inconsistent with efficient administration.

SEC. 23. In making separations from the Federal service, or furloughs without pay to last as long as three months, of persons employed within the District of Columbia, under the provisions of this joint resolution, the appointing power shall give preference, as nearly as good administration will warrant, in retention to appointees from States that have not received their share of appointments according to population: *Provided, however*, That soldiers, sailors, and marines, the widows of such, or the wives of injured soldiers, sailors, and marines, who themselves are not qualified, but whose wives are qualified to hold a position in the Government service, shall be given preference in retention, in their several grades and classes, where their ratings are good or better.

SEC. 24. The provisions of the Act of February 15, 1934 (48 Stat. 351), as amended, relating to disability or death compensation and benefits shall apply to persons (except administrative employees qualifying as civil employees of the United States) receiving compensation from the appropriations in this joint resolution for services rendered as employees of the United States: *Provided*, That this section shall not apply in any case coming within the purview of the workmen's compensation law of any State, Territory, or possession, or in which the claimant has received or is entitled to receive similar benefits for injury or death.

SEC. 25. None of the funds made available by this joint resolution shall be available—

(a) After June 30, 1939, for the operation of any theater project, except that any person employed on any such project on June 30, 1939, may continue to be carried on the pay roll, with or without assignment of duty incidental to the closing down of such project, and paid his salary or wage (1) for the month of July 1939, if such person is an administrative, supervisory, or other noncertified worker, or (2) for a period ending not later than September 30, 1939, if such person is a certified relief worker; or

(b) After August 31, 1939, for the operation of any project sponsored solely by the Work Projects Administration.

This section shall not prohibit the payment of wages or salaries accrued, or of nonlabor obligations incurred, in connection with any such project if the wages or salaries accrued or the obligation was incurred prior to August 1, 1939, October 1, 1939, or September 1, 1939, as the case may be.

SEC. 26. The Commissioner and the National Youth Administrator are authorized to consider, ascertain, adjust, determine, and pay from the appropriation in section 1 or section 2 hereof any claim arising out of operations thereunder accruing after the effective date of this joint resolution on account of damage to or loss of privately owned property caused by the negligence of any employee of the Work Projects Administration or the National Youth Administration, as the case

may be, while acting within the scope of his employment. No claim shall be considered hereunder which is in excess of \$500, or which is not presented in writing within one year from the date of accrual thereof. Acceptance by a claimant of the amount allowed on account of his claim shall be deemed to be in full settlement thereof, and the action upon such claim so accepted by the claimant shall be conclusive.

SEC. 27. The Commissioner is authorized to call to the attention of the city, county, and State governments the unemployment situation of that city, county, or State, and to seek the cooperation of the State or any subdivision thereof in meeting the unemployment problem.

SEC. 28. Any person who knowingly and with intent to defraud the United States makes any false statement in connection with any application for any work project, employment, or relief aid under the appropriations in this joint resolution, or diverts, or attempts to divert or assists in diverting, for the benefit of any person or persons not entitled thereto, any portion of such appropriations, or any services or real or personal property acquired thereunder, or who knowingly, by means of any fraud, force, threat, intimidation, or boycott, or discrimination on account of race, religion, political affiliations, or membership in a labor organization, deprives any person of any of the benefits to which he may be entitled under any such appropriations, or attempts so to do, or assists in so doing, or who disposes of, or assists in disposing of, except for the account of the United States, any property upon which there exists a lien securing a loan made under the provisions of this joint resolution or the Emergency Relief Appropriation Acts of 1935, 1936, 1937, and 1938, shall be deemed guilty of a felony and fined not more than \$2,000 or imprisoned not more than two years, or both. The provisions of this section shall be in addition to, and not in substitution for, any other provisions of existing law, or of this joint resolution.

SEC. 29. (a) It shall be unlawful for any person knowingly to solicit, or knowingly be in any manner concerned in soliciting, any assessment, subscription, or contribution for the campaign expenses of any individual or political party from any person receiving compensation or employment provided for by this joint resolution.

(b) Any person who knowingly violates any provision of this section shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both. The provisions of this section shall be in addition to, and not in substitution for, any other provisions of existing law, or of this joint resolution.

SEC. 30. (a) It shall be unlawful for any person, directly or indirectly, to promise any employment, position, work, compensation, or other benefit, provided for or made possible by this joint resolution, or any other Act of the Congress, to any person as consideration, favor, or reward for any political activity or for the support of or opposition to any candidate in any election or any political party.

(b) Except as may be required by the provisions of subsection (b) of section 31 hereof, it shall be unlawful for any person to deprive, attempt to deprive, or threaten to deprive, by any means, any person of any employment, position, work, compensation, or other benefit, provided for or made possible by this joint resolution, on account of race, creed, color, or any political activity, support of, or opposition to any candidate or any political party in any election.

(c) Any person who knowingly violates any provision of this section shall be guilty of a felony and, upon conviction, shall be fined not more than \$1,000 or imprisoned for not more than one year, or both. The provisions of this section shall be in addition to, and not in substitution for, any other provisions of existing law, or of this joint resolution.

Limitation on amount; conditions.

State, etc., cooperation in meeting unemployment problem.

False statements with intent to defraud, etc.

Race, etc., discrimination.

49 Stat. 115, 1408; 50 Stat. 352; 52 Stat. 809.  
15 U. S. C., Supp. IV, ch. 16 (note).  
Penalty.

Provisions deemed additional to existing law, etc.

Solicitation of contributions for campaign expenses.

Penalty.

Provisions deemed additional to existing law, etc.

Promise of benefit as reward.

Deprivation of work for causes designated.

Penalty.

Provisions deemed additional to existing law, etc.

Use of administrative authority to interfere with an election, etc.

Active participation in political campaigns, etc.

Penalty.

Provisions deemed additional to existing law, etc.

Candidate for State, etc., office or campaign manager, pay restriction.

Report of operations to Congress.  
52 Stat. 809; *ante*, pp. 507, 578.

*Proviso.*  
Existing requirement superseded.  
52 Stat. 815; *ante*, p. 509.  
Use of funds for designated purposes prohibited.

Exceptions.

Funds not to be used for designated naval or military purposes.

Restriction on construction, etc., of penal institutions.

Exception.

SEC. 31. (a) It shall be unlawful for any person employed in any administrative or supervisory capacity by any agency of the Federal Government, whose compensation or any part thereof is paid from funds authorized or appropriated by this joint resolution, to use his official authority or influence for the purpose of interfering with an election or affecting the results thereof. While such persons shall retain the right to vote as they please and to express privately their opinions on all political subjects, they shall take no active part, directly or indirectly, in political management or in political campaigns or in political conventions.

(b) Any person violating the provisions of this section shall be immediately removed from the position or office held by him, and thereafter no part of the funds appropriated by this joint resolution shall be used to pay the compensation of such person. The provisions of this section shall be in addition to, and not in substitution for, any other provisions of existing law, or of this joint resolution.

SEC. 32. No part of any appropriation in this joint resolution shall be used to pay the salary or expenses of any person in a supervisory or administrative position who is a candidate for any State, district, county, or municipal office (such office requiring full time of such person and to which office a salary or per diem attaches), in any primary, general or special election, or who is serving as a campaign manager or assistant thereto for any such candidate.

SEC. 33. Reports of the operations under the appropriations in this joint resolution and the appropriations contained in the Emergency Relief Appropriation Act of 1938, as supplemented by Public Resolution Numbered 1 and Public Resolution Numbered 10 of the Seventy-sixth Congress, including a statement of the expenditures made and obligations incurred by classes of projects and amounts, shall be submitted to Congress by the President on or before the 15th of January in each of the next two regular sessions of Congress: *Provided*, That such reports shall be in lieu of the report required by section 21 of said Act of 1938 as amended by said Public Resolution Numbered 1.

SEC. 34. No funds appropriated in this joint resolution, whether administered by the Federal Government or by the States or local governmental agencies from funds contributed in whole or in part by the Federal Government, shall be used by any Federal, State, or other agency to purchase, establish, relocate, or expand mills, factories, or plants which would manufacture or produce for sale articles, commodities, or products (other than those derived from the first processing of sweetpotatoes) in competition with existing industries. This section shall not apply to municipal electric plants in communities not now adequately served at reasonable rates.

SEC. 35. None of the funds appropriated by this joint resolution shall be used for the manufacture, purchase, or construction of any naval vessel, any armament, munitions, or implement of war, for military or naval forces, and no funds herein appropriated or authorized shall be diverted or allocated to any other department or bureau for such purpose.

SEC. 36. No part of the funds made available in this joint resolution shall be loaned or granted, except pursuant to an obligation incurred prior to the date of the enactment of this joint resolution, to any State, or any of its political subdivisions or agencies, for the purpose of carrying out or assisting in carrying out any program or project of constructing, rebuilding, repairing, or replanning its penal or reformatory institutions, unless the President shall find that the projects to be financed with such loan or grant will not cause or promote competition of the products of convict labor with the products of free labor.

SEC. 37. In expending appropriations or portions of appropriations, contained in this joint resolution, for the payment for personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, the average of the salaries of the total number of persons under any grade in any appropriation unit herein shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act, or (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, or (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

SEC. 38. Any Administrator or other officer named to have general supervision at the seat of government over the program and work contemplated under the appropriations contained in this joint resolution and receiving a salary of \$5,000 or more per annum from such appropriations, and any State or regional administrator receiving a salary of \$5,000 or more per annum from such appropriations (except persons now serving as such under other law) shall be appointed by the President, by and with the advice and consent of the Senate: *Provided*, That the provisions of section 1761 of the Revised Statutes shall not apply to any such appointee and the salary of any person so appointed shall not be increased for a period of six months after confirmation.

Approved, June 30, 1939.

#### [CHAPTER 253]

#### AN ACT

Making appropriations for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1940, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of Agriculture and for the Farm Credit Administration for the fiscal year ending June 30, 1940, namely:

### TITLE I—DEPARTMENT OF AGRICULTURE

#### OFFICE OF THE SECRETARY

##### SALARIES

For the Secretary of Agriculture, Under Secretary of Agriculture, Assistant Secretary, and for other personal services in the District of Columbia, and elsewhere, \$581,920: *Provided*, That in expending appropriations or portions of appropriations contained in this Act for the payment of personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, with the exception of the Assistant Secretary, the average of the salaries of

Personal services.

Salaries limited to average rates under Classification Act.

42 Stat. 1488.  
5 U. S. C. §§ 661-674; Supp. IV, §§ 673, 673c.  
If only one position in grade.

*Proviso.*

Restriction not applicable to clerical-mechanical service. No reduction in fixed salaries.

42 Stat. 1490.  
5 U. S. C. § 666.  
Transfer without reduction.

Higher rates permitted.

If only one position in a grade.

Federal, State, or regional administrators; appointment provisions.

*Proviso.*  
Recess appointees; salary status.  
R. S. § 1761.  
5 U. S. C. § 56.

June 30, 1939

[H. R. 5269]

[Public, No. 159]

Department of Agriculture Appropriation Act, 1940.

Salaries.

*Provisos.*  
Salaries limited to average rates under Classification Act; exception.  
42 Stat. 1488.  
5 U. S. C. §§ 661-674; Supp. IV, §§ 673, 673c.

the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act as amended and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided further*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade, in the same or different bureau, office, or other appropriation unit, (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law, or (5) to reduce the compensation of any person in a grade in which only one position is allocated: *Provided further*, That the Secretary of Agriculture is authorized to contract for stenographic reporting services, and the appropriations made in this Act shall be available for such purposes: *Provided further*, That the Secretary of Agriculture is authorized to expend from appropriations available for the purchase of lands not to exceed \$1 for each option to purchase any particular tract or tracts of land: *Provided further*, That not to exceed \$54,000 of the appropriations available for salaries and expenses of officers and employees of the Department of Agriculture permanently stationed in foreign countries may be used for payment of allowances for living quarters, including heat, fuel, and light, as authorized by the Act approved June 26, 1930 (5 U. S. C. 118a): *Provided further*, That with the approval of the Secretary of Agriculture employees of the Department of Agriculture stationed abroad may enter into leases for official quarters, for periods not exceeding one year, and may pay rent, telephone, subscriptions to publications, and other charges incident to the conduct of their offices and the discharge of their duties, in advance, in any foreign country where custom or practice requires payment in advance: *Provided further*, That no part of the funds appropriated by this Act shall be used for the payment of any officer or employee of the Department of Agriculture who, as such officer or employee, or on behalf of the Department or any division, commission, or bureau thereof, issues, or causes to be issued, any prediction, oral or written, or forecast with respect to future prices of cotton or the trend of same: *Provided further*, That no part of the funds appropriated by this Act shall be used for laboratory investigations to determine the possibly harmful effects on human beings of spray insecticides on fruits and vegetables.

If only one position in a grade.

Restriction not applicable to clerical-mechanical service. No reduction in fixed salaries. 42 Stat. 1490. 5 U. S. C. § 666. Transfers without reduction.

Higher rates permitted.

If only one position in a grade.

Contracts for stenographic reporting services.

Options to purchase lands.

Allowances for living quarters abroad.

46 Stat. 818. 5 U. S. C. § 118a. Advance payments.

Employees predicting future prices of cotton; payments to, forbidden.

Spray insecticides on fruits, etc., use of funds for certain laboratory investigations forbidden.

#### MISCELLANEOUS EXPENSES, DEPARTMENT OF AGRICULTURE

Miscellaneous expenses.

Vehicles.

For stationery, supplies, materials, and equipment, freight, express, and drayage charges, advertising and press clippings, communication service, postage, washing towels, repairs, and alterations; for the maintenance, repair, and operation of one motorcycle and not to exceed three motor-propelled passenger-carrying vehicles (including one for the Secretary of Agriculture, one for general utility needs of the entire Department, and one for the Forest Service) and purchase of

one motor-propelled passenger-carrying vehicle at not to exceed \$1,500, including the exchange value of one such vehicle, for official purposes only; for official traveling expenses, including examination of estimates for appropriations in the field for any bureau, office, or service of the Department; and for other miscellaneous supplies and expenses not otherwise provided for and necessary for the practical and efficient work of the Department, which are authorized by such officer as the Secretary may designate, \$108,250: *Provided*, That this appropriation shall be available for the payment of salaries of employees engaged in the maintenance, repair, and operation of motor transport vehicles, and that this appropriation shall be reimbursed from the appropriation made for any bureau or office for which such service is performed, in accordance with the provisions of the Act of May 11, 1922 (5 U. S. C. 543): *Provided further*, That the Secretary of Agriculture, during the fiscal year for which this appropriation is made, may maintain stocks of stationery, supplies, equipment, and miscellaneous materials sufficient to meet, in whole or in part, requirements of the bureaus and offices of the Department in the city of Washington and elsewhere, but not to exceed in the aggregate \$200,000 in value at the close of the fiscal year, and the appropriations of such bureaus, offices, and agencies available for the purchase of stationery, supplies, equipment, and miscellaneous materials shall be available to reimburse the appropriation for miscellaneous expenses current at the time supplies are allotted, assigned, or issued, or when payment is received; for transfer for the purchase of inventory; and for transfer pursuant to the provisions of section 601 of the Act approved June 30, 1932 (31 U. S. C. 686): *Provided further*, That the appropriations made hereunder shall be available for the payment of salaries and expenses for purchasing, storing, handling, packing, or shipping supplies and blank forms, and there shall be charged proportionately as a part of the cost of supplies issued an amount to cover such salaries and expenses, and in the case of blank forms and supplies not purchased from this appropriation an amount to cover such salaries and expenses shall be charged proportionately to the proper appropriation: *Provided further*, That the facilities of the central storehouse of the Department shall to the fullest extent practicable be used to make unnecessary the maintenance of separate bureau storehouse activities in the Department: *Provided further*, That a separate schedule of expenditures, transfers of funds, or other transactions hereunder shall be included in the annual Budget: *Provided further*, That, except to provide materials required in or incident to research or experimental work where no suitable domestic product is available, no part of the funds appropriated by this Act shall be expended in the purchase of twine manufactured from commodities or materials produced outside of the United States.

*Provisions.*  
Maintenance, etc., of vehicles; reimbursement from other appropriations.

42 Stat. 508.  
5 U. S. C. § 543.  
Maintenance of stationery, etc., stocks.

Maximum.  
Reimbursement from other appropriations.

47 Stat. 417.  
31 U. S. C. § 686.  
Salaries and expenses, handling, etc., supplies.

Use of central storehouse.

Segregation of transactions.

Purchase of domestic twine.

#### RENT OF BUILDINGS IN THE DISTRICT OF COLUMBIA

For rent of buildings and parts of buildings in the District of Columbia, for use of the various bureaus, divisions, and offices of the Department of Agriculture, \$193,600.

Total, Office of the Secretary, \$883,770.

Rent of buildings, D. C.

#### OFFICE OF THE SOLICITOR

Salaries and expenses: For the employment of personal services in the District of Columbia and elsewhere, and for other necessary expenses, \$232,480, of which not to exceed \$187,781 may be expended for personal services in the District of Columbia.

Salaries and expenses.

## OFFICE OF INFORMATION

## SALARIES AND EXPENSES

Salaries and expenses.

For necessary expenses in connection with the publication, indexing, illustration, and distribution of bulletins, documents, and reports, including labor-saving machinery and supplies, envelopes, stationery and materials, office furniture and fixtures, photographic equipment and materials, artists' tools and supplies, telephone and telegraph service, freight and express charges; purchase and maintenance of bicycles; purchase of manuscripts; traveling expenses; electrotypes, illustrations, and other expenses not otherwise provided for, \$383,040, of which not to exceed \$360,780 may be used for personal services in the District of Columbia.

Personal services.

## PRINTING AND BINDING

Printing and binding.

Annual Report of the Secretary.

28 Stat. 601, 612; 38 Stat. 1110; 49 Stat. 1550.

44 U. S. C. §§ 111, 212-220, 222, 241, 244; Supp. IV, §§ 215, 215a; 7 U. S. C. § 418; 5 U. S. C., Supp. IV, § 108.

34 Stat. 825. 44 U. S. C. §§ 214, 224.

Farmers' bulletins.

Exceptions.

40 Stat. 1270. 44 U. S. C. §§ 111, 220.

Provisos. Transfer of certain funds for printing, etc., in connection with market quotas.

52 Stat. 31. 7 U. S. C., Supp. IV, ch. 35.

49 Stat. 774. 7 U. S. C., Supp. IV, § 612 (c).

52 Stat. 45. 7 U. S. C., Supp. IV, § 1303.

Maximum amount.

For all printing and binding for the Department of Agriculture, including all of its bureaus, offices, institutions, and services located in Washington, District of Columbia, and elsewhere, \$1,609,570, including the purchase of reprints of scientific and technical articles published in periodicals and journals; the Annual Report of the Secretary of Agriculture, as required by the Acts of January 12, 1895 (44 U. S. C. 111, 212-220, 222, 241, 244), March 4, 1915 (7 U. S. C. 418), and June 20, 1936 (5 U. S. C. 108), and in pursuance of the Act approved March 30, 1906 (44 U. S. C. 214, 224), and also including not to exceed \$250,000 for farmers' bulletins, which shall be adapted to the interests of the people of the different sections of the country, an equal proportion of four-fifths of which shall be delivered to or sent out under the addressed franks furnished by the Senators, Representatives, and Delegates in Congress, as they shall direct, but not including work done at the field printing plants of the Weather Bureau and of the Forest Service authorized by the Joint Committee on Printing, in accordance with the Act approved March 1, 1919 (44 U. S. C. 111, 220): *Provided*, That the Secretary of Agriculture may transfer to this appropriation from the appropriation made for "Conservation and Use of Agricultural Land Resources" such sums as may be necessary for printing and binding in connection with marketing quotas under the Agricultural Adjustment Act of 1938, and from funds appropriated to carry into effect the terms of section 32 of the Act of August 24, 1935 (7 U. S. C. 612c), as amended, such sums as may be necessary for printing and binding in connection with the activities under said section 32, and from funds appropriated for parity payments under section 303 of the Agricultural Adjustment Act of 1938, such sums as may be necessary for printing and binding in connection with such payments: *Provided further*, That the total amount that may be transferred under the authority granted in the preceding proviso shall not exceed \$600,000.

Total, Office of Information, \$1,992,610.

## LIBRARY, DEPARTMENT OF AGRICULTURE

Salaries and expenses.

Salaries and expenses: For purchase and exchange of books of reference, law books, technical and scientific books, periodicals, and for expenses incurred in completing imperfect series; not to exceed \$1,200 for newspapers; for dues, when authorized by the Secretary of Agriculture, for library membership in societies or associations which issue publications to members only or at a price to members lower than to subscribers who are not members; for salaries in the city of Washington and elsewhere; for official traveling expenses, and

for library fixtures, library cards, supplies, and for all other necessary expenses, \$109,220, of which amount not to exceed \$75,250 may be expended for personal services in the District of Columbia.

## OFFICE OF EXPERIMENT STATIONS

### PAYMENTS TO STATES, HAWAII, ALASKA, AND PUERTO RICO FOR AGRICULTURAL EXPERIMENT STATIONS

**Hatch Act:** To carry into effect the provisions of an Act approved March 2, 1887 (7 U. S. C. 362, 363, 365, 368, 377-379), entitled "An Act to establish agricultural experiment stations in connection with the colleges established in the several States under the provisions of an Act approved July 2, 1862 (7 U. S. C. 301-308), and of the Acts supplementary thereto", the sums apportioned to the several States, to be paid quarterly in advance, \$720,000.

**Adams Act:** To carry into effect the provisions of an Act approved March 16, 1906 (7 U. S. C. 369), entitled "An Act to provide for an increased annual appropriation for agricultural experiment stations and regulating the expenditure thereof", and Acts supplementary thereto, the sums apportioned to the several States to be paid quarterly in advance, \$720,000.

**Purnell Act:** To carry into effect the provisions of an Act entitled "An Act to authorize the more complete endowment of agricultural experiment stations", approved February 24, 1925 (7 U. S. C. 361, 366, 370, 371, 373-376, 380, 382), \$2,880,000.

**Hawaii:** To carry into effect the provisions of an Act entitled "An Act to extend the benefits of certain Acts of Congress to the Territory of Hawaii", approved May 16, 1928 (7 U. S. C. 386-386b), \$60,000.

**Alaska:** To carry into effect the provisions of an Act entitled "An Act to extend the benefits of the Hatch Act and the Smith-Lever Act to the Territory of Alaska", approved February 23, 1929 (7 U. S. C. 386c), \$15,000; and the provisions of section 2 of the Act entitled "An Act to extend the benefits of the Adams Act, the Purnell Act, and the Capper-Ketcham Act to the Territory of Alaska, and for other purposes", approved June 20, 1936 (7 U. S. C. 369a), \$8,750; in all, for Alaska, \$23,750.

**Puerto Rico:** To carry into effect the provisions of an Act entitled "An Act to coordinate the agricultural experiment station work and to extend the benefits of certain Acts of Congress to the Territory of Puerto Rico", approved March 4, 1931 (7 U. S. C. 386d-386f), \$45,000.

**Title I, Bankhead-Jones Act:** For payments to States, Hawaii, Alaska, and Puerto Rico, pursuant to authorizations contained in title I of an Act entitled "An Act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges", approved June 29, 1935 (7 U. S. C. 427-427g), \$2,400,000.

In all, payments to States, Hawaii, Alaska, and Puerto Rico for agricultural experiment stations, \$6,848,750.

Personal services.

Support of stations.  
24 Stat. 440.  
7 U. S. C. §§ 362, 363, 365, 368, 377-379.  
College-aid land grants.  
12 Stat. 503.  
7 U. S. C. §§ 301-308.

Increased allotments.  
34 Stat. 63.  
7 U. S. C. § 369.

Further allotments.  
43 Stat. 970.  
7 U. S. C. §§ 361, 366, 370, 371, 373-376, 380, 382.

Hawaii.  
45 Stat. 571.  
7 U. S. C. §§ 386-386b.

Alaska.  
45 Stat. 1256.  
7 U. S. C. § 386c.

Benefits of other provisions extended to.  
49 Stat. 1554.  
7 U. S. C., Supp. IV, § 369a.

Puerto Rico.

46 Stat. 1520.  
7 U. S. C. §§ 386d-386f.

Research into basic agricultural laws and principles.

49 Stat. 436.  
7 U. S. C., Supp. IV, §§ 427-427g.

Total.

### SALARIES AND EXPENSES

**Administration of grants to States and coordination of research:** To enable the Secretary of Agriculture to enforce the provisions of the Acts approved March 2, 1887 (7 U. S. C. 362, 363, 365, 368, 377-379), March 16, 1906 (7 U. S. C. 369, 375), February 24, 1925 (7 U. S. C. 361, 366, 370, 371, 373-376, 380, 382), May 16, 1928 (7 U. S. C. 386-386b), February 23, 1929 (7 U. S. C. 386c), March 4, 1931 (7 U. S. C. 386d-386f), and June 20, 1936 (7 U. S. C. 369a), and Acts amendatory or supplementary thereto, relative to their administration and for

Administration of grants to States, etc.

24 Stat. 440; 34 Stat. 63; 43 Stat. 970; 45 Stat. 571, 1256; 46 Stat. 1520; 49 Stat. 1553.  
7 U. S. C. §§ 361-363, 365, 366, 368-371, 373-380, 382, 386-386f; Supp. IV, § 369a.



Puerto Rico, station.

Form of annual financial statement, etc.

Insular experiment stations.

*Proviso.*  
Transfer of equipment.

45 Stat. 571.  
7 U. S. C. §§ 386-386b.  
Sale of products; deposit of receipts.

Personal services.

Vehicles, field service.

the administration of an agricultural experiment station in Puerto Rico, including the employment of persons and means in the city of Washington and elsewhere, \$161,735; and the Secretary of Agriculture shall prescribe the form of the annual financial statement required under the above Acts, ascertain whether the expenditures are in accordance with their provisions, coordinate the research work of the Department of Agriculture and coordinate the research work of the Department with that of the State agricultural colleges and experiment stations in the lines authorized in said Acts, and make report thereon to Congress.

**Insular experiment stations:** To enable the Secretary of Agriculture to establish and maintain an agricultural experiment station in Puerto Rico, including the erection of buildings, the preparation, illustration, and distribution of reports and bulletins, \$83,000: *Provided*, That the Secretary of Agriculture may, at his discretion, transfer such property and equipment including the library, of the Hawaii Experiment Station, formerly maintained by the Department of Agriculture, as he may deem necessary and advisable to the experiment station of the University of Hawaii, which has been conducted jointly and in collaboration with the former Federal station under the Act of May 16, 1928 (7 U. S. C. 386-386b); and the Secretary of Agriculture is authorized to sell such products as are obtained on the land belonging to the agricultural experiment station in Puerto Rico, and the amount obtained from the sale thereof shall be covered into the Treasury of the United States as miscellaneous receipts.

In all, salaries and expenses, \$244,735.

**Total, Office of Experiment Stations, \$7,093,485**, of which amount not to exceed \$150,105 may be expended for personal services in the District of Columbia, and not to exceed \$750 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

## SPECIAL RESEARCH FUND, DEPARTMENT OF AGRICULTURE

Administrative expenses.

49 Stat. 436.  
7 U. S. C., Supp. IV, §§ 427, 427b, 427c, 427f.  
Special research work.

Personal services.

Vehicles.

For enabling the Secretary of Agriculture to carry into effect the provisions of an Act entitled "An Act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges", approved June 29, 1935 (7 U. S. C. 427, 427b, 427c, 427f); for administration of the provisions of section 5 of the said Act, and for special research work, including the planning, programming, coordination, and printing the results of such research, to be conducted by such agencies of the Department of Agriculture as the Secretary of Agriculture may designate or establish, and to which he may make allotments from this fund, including the employment of persons and means in the District of Columbia and elsewhere, and the purchase, maintenance, repair, and operation of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia, \$1,400,000.

## EXTENSION SERVICE

### PAYMENTS TO STATES, HAWAII, ALASKA, AND PUERTO RICO

Further cooperation with State colleges.

**Capper-Ketcham extension work:** To enable the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act

to provide for the further development of agricultural extension work between the agricultural colleges in the several States receiving the benefits of the Act entitled 'An Act donating public lands to the several States and Territories which may provide colleges for the benefit of agriculture and mechanic arts', approved July 2, 1862 (7 U. S. C. 301-308), and all Acts supplementary thereto, and the United States Department of Agriculture', approved May 22, 1928 (7 U. S. C. 343a, 343b), \$1,480,000.

Extension work, Act of April 24, 1939: To enable the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to provide for the further development of cooperative agricultural extension work", approved April 24, 1939 (Public, Numbered 41, Seventy-sixth Congress), \$203,000.

Extension work, section 21, Bankhead-Jones Act: To enable the Secretary of Agriculture to carry into effect the provisions of section 21, title II, of the Act entitled "An Act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges", approved June 29, 1935 (7 U. S. C. 343c), \$12,000,000.

Alaska: To enable the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to extend the benefits of the Hatch Act and the Smith-Lever Act to the Territory of Alaska", approved February 23, 1929 (7 U. S. C. 386c), \$13,918; and the provisions of section 3 of the Act entitled "An Act to extend the benefits of the Adams Act, the Purnell Act, and the Capper-Ketcham Act to the Territory of Alaska, and for other purposes", approved June 20, 1936 (7 U. S. C. 343e), \$7,500; in all, for Alaska, \$21,418.

Puerto Rico: To enable the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to extend the benefits of section 21 of the Bankhead-Jones Act to Puerto Rico", approved August 28, 1937 (7 U. S. C. 343f-343g), \$65,000.

In all, payments to States, Hawaii, Alaska, and Puerto Rico for agricultural extension work, \$13,769,418.

12 Stat. 503; 45 Stat. 711.  
7 U. S. C. §§ 301-308, 343a, 343b.

Cooperative extension work, etc.

*Ante*, p. 589.

Cooperative State agricultural extension work.

49 Stat. 438.  
7 U. S. C., Supp. IV, § 343c.  
Alaska.

45 Stat. 1256.  
7 U. S. C. § 386c.  
Benefits of designated Acts extended to.  
49 Stat. 1554.  
7 U. S. C., Supp. IV, § 343e.

Puerto Rico.  
50 Stat. 881.  
7 U. S. C., Supp. IV, §§ 343f, 343g.

Total.

#### SALARIES AND EXPENSES

General administrative expenses: For necessary expenses for general administrative purposes, including personal services in the District of Columbia, \$126,246.

Farmers' cooperative demonstration work: For farmers' cooperative demonstration work, including special suggestions of plans and methods for more effective dissemination of the results of the work of the Department of Agriculture and the agricultural experiment stations and of improved methods of agricultural practice, at farmers' institutes and in agricultural instruction, and for such work on Government reclamation projects, and for personal services in the city of Washington and elsewhere, supplies, and all other necessary expenses, \$560,170: *Provided*, That the expense of such service shall be defrayed from this appropriation and such cooperative funds as may be voluntarily contributed by State, county, and municipal agencies, associations of farmers, and individual farmers, universities, colleges, boards of trade, chambers of commerce, other local associations of businessmen, business organizations, and individuals within the State.

Motion pictures: For the preparation and distribution of motion and sound pictures, and sound recordings, as a means of disseminating information to farmers and others on the results of scientific research of the Department, and of teaching improved methods and practices

General administrative expenses.

Farmers' cooperative demonstration work.

Farmers' institutes.

*Proviso*.  
Acceptance of voluntary contributions within State.

Motion and sound pictures, etc.  
Preparation and distribution.

Agricultural exhibits at fairs.

Cooperative farm forestry extension work.

43 Stat. 654.  
16 U. S. C. § 568.

Personal services.

in agriculture, home economics, and other subjects related to the work of the Department of Agriculture; including the employment of persons and means in the District of Columbia and elsewhere, \$79,000.

**Agricultural exhibits at fairs:** To enable the Secretary of Agriculture to make suitable agricultural exhibits at State, interstate, and international fairs held within the United States, including the employment of persons and means in the District of Columbia and elsewhere, \$85,000.

**Cooperative farm forestry extension work:** For cooperation with appropriate officials of the various States or with other suitable agencies to assist the owners of farms in establishing, improving, and renewing wood lots, shelterbelts, windbreaks, and other valuable forest growth, and in growing and renewing useful timber crops under the provisions of section 5 of the Act entitled "An Act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote the continuous production of timber on lands chiefly suitable therefor", approved June 7, 1924 (16 U. S. C. 564-570), including personal services in the District of Columbia, \$77,898.

In all, salaries and expenses, \$928,314, of which amount not to exceed \$692,816 may be expended for personal services in the District of Columbia.

Total, Extension Service, \$14,697,732.

## FOREIGN AGRICULTURAL SERVICE

Administrative expenses.

46 Stat. 497.  
7 U. S. C. §§ 541-545.

Cooperation with Government agencies.

To enable the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to promote the agriculture of the United States by expanding in the foreign field the service now rendered by the United States Department of Agriculture in acquiring and diffusing useful information regarding agriculture, and for other purposes", approved June 5, 1930 (7 U. S. C. 541-545), and for collecting and disseminating to American producers, importers, exporters, and other interested persons information relative to the world supply of and need for American agricultural products, marketing methods, conditions, prices, and other factors, a knowledge of which is necessary to the advantageous disposition of such products in foreign countries, independently and in cooperation with other branches of the Government, State agencies, purchasing and consuming organizations, and persons engaged in the transportation, marketing, and distribution of farm and food products, and including the employment of persons and means in the District of Columbia and elsewhere, and the purchase of such books and periodicals and not to exceed \$1,000 for newspapers as may be necessary in connection with this work, \$295,000.

Grand total, Office of the Secretary of Agriculture, \$26,704,297.

## WEATHER BUREAU

### SALARIES AND EXPENSES

Salaries and expenses.

26 Stat. 653.  
15 U. S. C. §§ 311-313, 317; Supp. IV, § 313.  
52 Stat. 1014.  
49 U. S. C., Supp. IV, § 603.  
Buildings and grounds.

For the employment of persons and means required for carrying into effect in the District of Columbia and elsewhere in the United States, in the West Indies, in the Panama Canal, the Caribbean Sea, and on adjacent coasts, in the Hawaiian Islands, in Bermuda, and in Alaska the provisions of an Act approved October 1, 1890 (15 U. S. C. 311-313, 317), so far as they relate to the weather service transferred thereby to the Department of Agriculture, and section 803 of the Civil Aeronautics Act of 1938 (49 U. S. C. 603); for repair, alterations, and improvements to existing buildings and care and preservation of

grounds, including the construction of necessary outbuildings and sidewalks on public streets, abutting Weather Bureau grounds; for the erection of temporary buildings for living quarters of observers; for telephone rentals, and for telegraphing, telephoning, and cabling reports and messages, rates to be fixed by the Secretary of Agriculture by agreement with the companies performing the service; for the establishment, equipment, and maintenance of meteorological offices and stations and for the issuing of weather forecasts and warnings of storms, cold waves, frosts, and heavy snows, the gaging and measuring of the flow of rivers and the issuing of river forecasts and warnings; for observations and reports relating to crops; and for other necessary observations and reports, including cooperation with other bureaus of the Government and societies and institutions of learning as follows:

**General administrative expenses:** For necessary expenses for general administrative purposes, including the salary of chief of bureau and other personal services in the District of Columbia, \$145,000.

**General weather service and research:** For necessary expenses incident to collecting and disseminating meteorological, climatological, and marine information, and for investigations in meteorology, climatology, seismology, evaporation, and aerology in the District of Columbia and elsewhere, including \$3,930 for investigations of the relationship of weather conditions to forest fires, under section 6 of the Act approved May 22, 1928 (16 U. S. C. 581e), \$2,527,870, of which not to exceed \$1,500 may be expended for the contribution of the United States to the cost of the office of the secretariat of the International Meteorological Committee, and not to exceed \$10,000 may be expended for the maintenance of a printing office in the city of Washington for the printing of weather maps, bulletins, circulars, forms, and other publications: *Provided*, That no printing shall be done by the Weather Bureau that can be done at the Government Printing Office without impairing the service of said Bureau.

**Airways weather service and research:** For promoting the safety and efficiency of aircraft as provided by section 803 of the Civil Aeronautics Act of 1938, and for the maintenance of stations for observing, measuring, and investigating atmospheric phenomena, including salaries and other expenses, in the city of Washington and elsewhere, \$3,500,000.

**Total, salaries and expenses, Weather Bureau, \$6,172,870, of which amount not to exceed \$722,719 may be expended for personal services in the District of Columbia:** *Provided*, That Weather Bureau part-time employees, appointed by designation or otherwise, under regulations of the Civil Service Commission, for observational work, may perform odd jobs in the installation, repair, improvement, alteration, cleaning, or removal of Government property and receive compensation therefor at rates of pay to be fixed by the Secretary of Agriculture.

#### WEATHER BUREAU BUILDING, WASHINGTON, DISTRICT OF COLUMBIA

**Weather Bureau Building:** For the construction and equipment, on the site of the Weather Bureau in the District of Columbia, of the first unit of an extensible building for the use of said Bureau, including necessary alterations in the existing Weather Bureau buildings, to remain available until expended, \$250,000.

**Total, Weather Bureau, \$6,172,870.**

Living quarters of observers.  
Telegraphing, etc.

Issuing forecasts and warnings.

Cooperation with other bureaus, etc.

Administrative expenses.

General weather service and research.

Weather relationship to forest fires.

45 Stat. 701.  
16 U. S. C. § 581e.

International Meteorological Committee.

Printing office.

*Proviso.*  
Restriction.

Airways weather service and research.

52 Stat. 1014.  
49 U. S. C., Supp. IV, § 603.

Personal services.

*Proviso.*  
Part-time employees.

Construction and equipment.

## BUREAU OF ANIMAL INDUSTRY

## SALARIES AND EXPENSES

## Salaries and expenses.

23 Stat. 31.  
7 U. S. C. § 391; 21 U. S. C. §§ 112-119, 130.  
26 Stat. 833.  
45 U. S. C. §§ 75, 76.  
26 Stat. 414.  
21 U. S. C. §§ 101-105.

Contagious diseases, etc.  
32 Stat. 791.  
21 U. S. C. §§ 111-113, 120-122.

## Cattle quarantine.

33 Stat. 1264.  
21 U. S. C. §§ 123-128.

## Twenty-eight hour law.

34 Stat. 607.  
45 U. S. C. §§ 71-74.  
Meat inspection.  
34 Stat. 674, 1260;  
41 Stat. 241.  
21 U. S. C. §§ 95, 71-94, 96; Supp. IV, § 91.

48 Stat. 1225.  
31 U. S. C. § 725a.  
52 Stat. 1235.  
21 U. S. C., Supp. IV, § 91.  
Animal viruses, etc.  
37 Stat. 832.  
21 U. S. C. §§ 151-158.

## Inspections at other than headquarters.

## Credit of fees to appropriate fund.

## Collection and dissemination of information.

## Personal services.

Tuberculin, serums, etc., purchase of samples.

## Purchase and destruction of diseased, etc., animals, including poultry.

## General administrative expenses.

Animal husbandry. Feeding, breeding, etc., experiments.

For carrying out the provisions of the Act approved May 29, 1884 (7 U. S. C. 391; 21 U. S. C. 112-119, 130), establishing a Bureau of Animal Industry, and the provisions of the Act approved March 3, 1891 (45 U. S. C. 75, 76), providing for the safe transport and humane treatment of export cattle from the United States to foreign countries, and for other purposes; the Act approved August 30, 1890 (21 U. S. C. 101-105), providing for the importation of animals into the United States, and for other purposes; and the provisions of the Act approved February 2, 1903 (21 U. S. C. 111-113, 120-122), to enable the Secretary of Agriculture to more effectually suppress and prevent the spread of contagious and infectious diseases of livestock, and for other purposes; and also the provisions of the Act approved March 3, 1905 (21 U. S. C. 123-128), to enable the Secretary of Agriculture to establish and maintain quarantine districts, to permit and regulate the movement of cattle and other livestock therefrom, and for other purposes; and for carrying out the provisions of the Act of June 29, 1906 (45 U. S. C. 71-74), entitled "An Act to prevent cruelty to animals while in transit by railroad or other means of transportation"; and for carrying out the provisions of the Meat Inspection Act of June 30, 1906 (21 U. S. C. 95), as amended by the Act of March 4, 1907 (21 U. S. C. 71-94), as extended to equine meat by the Act of July 24, 1919 (21 U. S. C. 96), as authorized by section 2 (a) of the Act of June 26, 1934 (31 U. S. C. 725a), and as further amended by the Act of June 29, 1938 (21 U. S. C. 91); and for carrying out the provisions of the Act approved March 4, 1913 (21 U. S. C. 151-158), regulating the preparation, sale, barter, exchange, or shipment of any virus, serum, toxin, or analogous products manufactured in the United States and the importation of such products intended for use in the treatment of domestic animals; and the Secretary of Agriculture, upon application of any exporter, importer, packer, owner, agent of, or dealer, in livestock, hides, skins, meat, or other animal products, may, in his discretion, make inspections and examinations at places other than the headquarters of inspectors for the convenience of said applicants and charge the applicants for the expenses of travel and subsistence incurred for such inspections and examinations, the funds derived from such charges to be deposited in the Treasury of the United States to the credit of the appropriation from which the expenses are paid; and to enable the Secretary of Agriculture to collect and disseminate information concerning livestock and animal products; to prepare and disseminate reports on animal industry; to employ persons and means in the city of Washington or elsewhere; to purchase in the open market samples of all tuberculin, serums, antitoxins, or analogous products, of foreign or domestic manufacture, which are sold in the United States, for the detection, prevention, treatment, or cure of diseases of domestic animals, to test the same, and to disseminate the results of said tests in such manner as he may deem best; to purchase and destroy diseased or exposed animals, including poultry, or quarantine the same whenever in his judgment essential to prevent the spread of pleuro-pneumonia, tuberculosis, contagious poultry diseases, or other diseases of animals from one State to another, as follows:

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of chief of bureau and other personal services in the District of Columbia, \$170,120.

Animal husbandry: For investigations and experiments in animal husbandry; for experiments in animal feeding and breeding, including

cooperation with the State agricultural experiment stations and other agencies, including repairs and additions to and erection of buildings absolutely necessary to carry on the experiments, \$802,880, including \$12,500 for livestock experiments and demonstrations at Big Spring or elsewhere in Texas, to be available only when the State of Texas, or other cooperating agency in Texas, shall have appropriated an equal amount or, in the opinion of the Secretary of Agriculture, shall have furnished its equivalent in value in cooperation for the same purpose during the fiscal year 1940: *Provided*, That of the sum thus appropriated \$243,957 may be used for experiments in poultry feeding and breeding, of which amount \$45,000 may be used in cooperation with State authorities in the administration of regulations for the improvement of poultry, poultry products, and hatcheries.

Texas, cooperative demonstrations, etc.; conditions.

*Proviso.*  
Poultry feeding and breeding.

Diseases of animals: For scientific investigations of diseases of animals, including the construction of necessary buildings at Beltsville, Maryland, and necessary expenses for investigations of tuberculin, serums, antitoxins, and analogous products, \$462,000: *Provided*, That of said sum \$78,182 may be used for researches concerning the cause, modes of spread, and methods of treatment and prevention of the disease of contagious abortion of animals.

Animal diseases, investigations.  
Beltsville, Md., station.

*Proviso.*  
Contagious abortion of animals.

Eradicating tuberculosis and Bang's disease: For the control and eradication of the diseases of tuberculosis and paratuberculosis of animals, avian tuberculosis, and Bang's disease of cattle, \$8,300,000, together with the unobligated balances of the funds reappropriated under this head for the fiscal year 1939 by the Agricultural Appropriation Act for that year from unobligated balances of funds made available by the Act of May 25, 1934 (48 Stat. 805), and section 37 of the Act of August 24, 1935 (7 U. S. C. 612b): *Provided*, That in carrying out the purpose of this appropriation, if in the opinion of the Secretary of Agriculture it shall be necessary to condemn and destroy tuberculous or paratuberculous cattle, or cattle reacting to the test for Bang's disease, and if such animals have been destroyed, condemned, or die after condemnation, he may, in his discretion, and in accordance with such rules and regulations as he may prescribe, expend in the city of Washington or elsewhere such sums as he shall determine to be necessary for the payment of indemnities to owners of such animals but, except as hereinafter provided, no part of the money hereby appropriated shall be used in compensating owners of such cattle except in cooperation with and supplementary to payments to be made by State, Territory, county, or municipality where condemnation of such cattle shall take place, nor shall any payment be made hereunder as compensation for or on account of any such animal if at the time of inspection or test, or at the time of condemnation thereof, it shall belong to or be upon the premises of any person, firm, or corporation to which it has been sold, shipped, or delivered for the purpose of being slaughtered: *Provided further*, That out of the money hereby appropriated no payment as compensation for any cattle condemned for slaughter shall exceed one-third of the difference between the appraised value of such cattle and the value of the salvage thereof; that no payment hereunder shall exceed the amount paid or to be paid by the State, Territory, county, and municipality where the animal shall be condemned; and that in no case shall any payment hereunder be more than \$25 for any grade animal or more than \$50 for any purebred animal: *Provided further*, That not to exceed \$100,000 of the amount herein made available may be used for continuation of scientific experimentation in diseases of livestock as authorized by section 37 of the Act of August 24, 1935 (7 U. S. C. 612b).

Eradicating tuberculosis and Bang's disease.

Unobligated balances reappropriated.

52 Stat. 720; 48 Stat. 805; 49 Stat. 775.  
7 U. S. C., Supp. IV, § 612b.  
*Provisos.*  
Indemnities for destroyed animals.

State, etc., cooperation.

Compensation, limitation.

Experimentation.

49 Stat. 775.  
7 U. S. C., Supp. IV, § 612b.

Eradicating southern cattle ticks.  
*Provided.*  
 Limitation on purchase of animals, etc.  
 Materials for dipping vats.

**Eradicating cattle ticks:** For the eradication of southern cattle ticks, \$475,000: *Provided*, That, except upon the written order of the Secretary of Agriculture, no part of this appropriation shall be used for the purchase of animals or in the purchase of materials for or in the construction of dipping vats upon land not owned solely by the United States, except at fairs or expositions where the Department of Agriculture makes exhibits or demonstrations; nor shall any part of this appropriation be used in the purchase of materials or mixtures for use in dipping vats except in experimental or demonstration work carried on by the officials or agents of the Bureau of Animal Industry: *Provided further*, That on and after May 1 of the fiscal year for which this appropriation is made, in any State or Territory whose legislature has been in regular session subsequent to the beginning of such fiscal year, no expenditures shall be made for these purposes until a sum or sums at least equal to such expenditures, or contributions other than money of the value equivalent to such expenditures, shall have been appropriated, subscribed, or contributed by the State, county, or local authorities, or by individuals or organizations concerned.

State, etc., cooperation.

Hog-cholera control.

**Hog-cholera control:** For the control and eradication of hog cholera and related swine diseases, by such means as may be necessary, including demonstrations, the formation of organizations, and other methods, either independently or in cooperation with farmers' associations, State or county authorities, \$122,000.

Inspection and quarantine.

**Inspection and quarantine:** For inspection and quarantine work, including the eradication of scabies in sheep and cattle and dourine in horses, the inspection of southern cattle, the supervision of the transportation of livestock, and the inspection of vessels, the execution of the twenty-eight-hour law, the inspection and quarantine of imported animals, including the establishment and maintenance of quarantine stations and repairs, alterations, improvements, or additions to buildings thereon; the inspection work relative to the existence of contagious diseases, and the mallein testing of animals, \$680,000.

Mallein testing of animals.

*Meat inspection.*  
 34 Stat. 674, 1260; 41 Stat. 241.  
 21 U. S. C. §§ 95, 71-94, 96; Supp. IV, § 91.  
 48 Stat. 1225.  
 31 U. S. C. § 725a.  
 52 Stat. 1235.  
 21 U. S. C., Supp. IV, § 91.  
 Printed tags, stamps, etc.

**Meat inspection:** For expenses in carrying out the provisions of the Meat Inspection Act of June 30, 1906 (21 U. S. C. 95), as amended by the Act of March 4, 1907 (21 U. S. C. 71-94), as extended to equine meat by the Act of July 24, 1919 (21 U. S. C. 96), as authorized by section 2 (a) of the Act of June 26, 1934 (31 U. S. C. 725a), and as further amended by the Act of June 29, 1938 (21 U. S. C. 91), including the purchase of printed tags, labels, stamps, and certificates without regard to existing laws applicable to public printing, \$5,433,000.

*Virus Serum Toxin Act.*  
 37 Stat. 832.  
 21 U. S. C. §§ 151-158.

**Virus Serum Toxin Act:** For carrying out the provisions of the Act approved March 4, 1913 (21 U. S. C. 151-158), regulating the preparation, sale, barter, exchange, or shipment of any virus, serum, toxin, or analogous product manufactured in the United States and the importation of such products intended for use in the treatment of domestic animals, \$218,712.

*Marketing agreements, hog cholera virus and serum.*  
 48 Stat. 38.  
 7 U. S. C. § 612; Supp. IV, § 612.

**Marketing agreements with respect to hog cholera virus and serum:** The sum of \$30,000 of the appropriation made by section 12 (a) of the Agricultural Adjustment Act, approved May 12, 1933, is hereby made available during the fiscal year for which appropriations are herein made to carry into effect sections 56 to 60, inclusive, of the Act approved August 24, 1935 (7 U. S. C. 851-855), entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", including the employment of persons and means in the District of Columbia and elsewhere.

49 Stat. 781.  
 7 U. S. C., Supp. IV, §§ 851-855.

In all, salaries and expenses, Bureau of Animal Industry, \$16,663,712.

## ERADICATION OF FOOT-AND-MOUTH AND OTHER CONTAGIOUS DISEASES OF ANIMALS

In case of an emergency arising out of the existence of foot-and-mouth disease, rinderpest, contagious pleuropneumonia, or other contagious or infectious disease of animals, which, in the opinion of the Secretary of Agriculture, threatens the livestock industry of the country, he may expend in the city of Washington or elsewhere any unexpended balances of appropriations heretofore made for this purpose in the arrest and eradication of any such disease, including the payment of claims growing out of past and future purchases and destruction, in cooperation with the States, of animals affected by or exposed to, or of materials contaminated by or exposed to, any such disease, wherever found and irrespective of ownership, under like or substantially similar circumstances, when such owner has complied with all lawful quarantine regulations: *Provided*, That the payment for animals hereafter purchased may be made on appraisement based on the meat, dairy, or breeding value, but in case of appraisement based on breeding value no appraisement of any animal shall exceed three times its meat or dairy value, and, except in case of an extraordinary emergency, to be determined by the Secretary of Agriculture, the payment by the United States Government for any animals shall not exceed one-half of any such appraisements: *Provided further*, That the sum of \$5,000 of the unexpended balance of the appropriation of \$3,500,000 contained in the Second Deficiency Appropriation Act, fiscal year 1924, approved December 5, 1924, for the eradication of the foot-and-mouth disease and other contagious or infectious diseases of animals, is hereby made available during the fiscal year for which appropriations are herein made to enable the Secretary of Agriculture to control and eradicate the European fowl pest and similar diseases in poultry.

Total, Bureau of Animal Industry, \$16,663,712, of which amount not to exceed \$768,898 may be expended for departmental personal services in the District of Columbia, and not to exceed \$100,000 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

## BUREAU OF DAIRY INDUSTRY

## SALARIES AND EXPENSES

For carrying out the provisions of the Act approved May 29, 1924 (7 U. S. C. 401-404), establishing a Bureau of Dairying, for salaries in the city of Washington and elsewhere, and for all other necessary expenses, as follows:

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of the Chief of Bureau and other personal services in the District of Columbia, \$75,500.

Dairy investigations: For conducting investigations, experiments, and demonstrations in dairy industry, cooperative investigations of the dairy industry in the various States, and inspection of renovated-butter factories, including repairs to buildings, not to exceed \$5,000 for the construction of buildings, \$645,905.

Total, salaries and expenses, Bureau of Dairy Industry, \$721,405, of which amount not to exceed \$343,510 may be expended for personal services in the District of Columbia.

Emergency eradication of foot-and-mouth, etc., diseases.

Balances available.

Payment for destroyed animals.

*Provisos.*  
Basis of appraisements.

Limitation.

Eradication of European fowl pest, etc.

43 Stat. 682.

Personal services.

Vehicles.

Salaries and expenses.  
43 Stat. 243.  
7 U. S. C. §§ 401-404.

Administrative expenses.

Investigations, demonstrations, etc.

Personal services.



## BUREAU OF PLANT INDUSTRY

## SALARIES AND EXPENSES

Investigation of  
fruits, plants, etc.

For the investigation of fruits, fruit trees, grain, cotton, tobacco, vegetables, grasses, forage, drug, medicinal, poisonous, fiber, and other plants and plant industries, and of soils and soil-plant relationships, in cooperation with other branches of the Department, the State experiment stations, and practical farmers; for the erection of necessary farm buildings: *Provided*, That the cost of any building erected, except head houses connecting greenhouses, shall not exceed \$2,500; and for the employment of persons and means in the city of Washington and elsewhere required for the investigations, experiments, and demonstrations herein authorized, as follows:

*Proviso.*  
Cost of buildings.

Administrative ex-  
penses.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of chief of bureau and other personal services in the District of Columbia, \$202,442.

Arlington, Va., ex-  
perimental farm, etc.

Arlington Farm: For continuing the necessary improvements to establish and maintain a general experiment farm and agricultural station on the Arlington estate, in the State of Virginia, in accordance with the provisions of the Act of Congress approved April 18, 1900 (31 Stat. 135, 136), \$49,414.

31 Stat. 135.

Wild plants and  
grazing lands, im-  
provement, etc.

Botany: For investigation, improvement, and utilization of wild plants and grazing lands, and for determining the distribution of weeds and means of their control, \$76,635, of which \$40,000 shall be expended for scientific investigation concerning control and eradication of whitetop, bind weed, and other noxious weeds.

Eradication of nox-  
ious weeds.

Cereal crops and  
diseases, investiga-  
tion, etc.

Cereal crops and diseases: For the investigation and improvement of cereals, including corn, and methods of cereal production and for the study and control of cereal diseases, and for the investigation of the cultivation and breeding of flax for seed purposes, including a study of flax diseases, and for the investigation and improvement of broomcorn and methods of broomcorn production, \$551,121.

Cotton, etc., pro-  
duction and diseases.

Cotton and other fiber crops and diseases: For investigation of the production of cotton and other fiber crops, including the improvement by cultural methods, breeding, and selection, fiber yield and quality, and the control of diseases, \$424,385, of which sum not less than \$14,700 shall be used for experimenting in Sea Island cotton, including its hybridization with other varieties.

Sea Island cotton.

Drug, etc., plants.

Drug and related plants: For the investigation, testing, and improvement of plants yielding drugs, spices, poisons, oils, and related products and byproducts, \$47,139.

Dry-land agricul-  
ture.

Dry-land agriculture: For the investigation and improvement of methods of crop production under subhumid, semiarid, or dry-land conditions, \$226,828: *Provided*, That no part of this appropriation shall be used for the establishment of any new field station.

*Proviso.*  
New field stations  
forbidden.

Experimental green-  
house maintenance.

Experimental greenhouse maintenance: For maintenance and operation of experimental greenhouses and adjacent experimental grounds and plots, \$77,372.

Forage crops and  
diseases.

Forage crops and diseases: For the investigation and improvement of forage crops, including grasses, alfalfas, clovers, soybeans, lespedezas, vetches, cowpeas, field peas, and miscellaneous legumes; for the investigation of green-manure crops and cover crops; for investigations looking to the improvement of pastures; and for the investigation of forage-crop diseases and methods of control, \$313,450.

Forest pathology.

Forest pathology: For the investigation of diseases of forest and ornamental trees and shrubs, including a study of the nature and habits of the parasitic fungi causing the chestnut-tree bark disease, the white-pine blister rust, and other epidemic tree diseases, for the purpose of discovering new methods of control and applying methods of eradication or control already discovered, and including \$132,569

for investigations of diseases of forest trees and forest products, under section 3 of the Act approved May 22, 1928 (16 U. S. C. 581b), \$265,392.

45 Stat. 701.  
16 U. S. C. § 581b.

**Fruit and vegetable crops and diseases:** For investigation and control of diseases, for improvement of methods of culture, propagation, breeding, selection, and related activities concerned with the production of fruits, nuts, vegetables, ornamentals, and related plants, for investigation of methods of harvesting, packing, shipping, storing and utilizing these products, and for studies of the physiological and related changes of such products during processes of marketing and while in commercial storage, \$1,348,982.

Fruit and vegetable crops and diseases.

**Genetics and biophysics:** For biophysical investigations in connection with the various lines of work herein authorized, \$31,675.

Genetics and biophysics.

**Irrigation agriculture:** For investigations of crop production on irrigable lands, the quality of irrigation water and its use by crops, and methods for improving and maintaining the productivity of irrigated soils, \$152,674.

Irrigation agriculture.

**Mycology and disease survey:** For mycological collections and the maintenance of a plant-disease survey, \$45,818.

Mycology and disease survey.

**National Arboretum:** For the maintenance and development of the National Arboretum established under the provisions of the Act entitled "An Act authorizing the Secretary of Agriculture to establish a National Arboretum, and for other purposes", approved March 4, 1927 (20 U. S. C. 191-194), erection of buildings, employment of persons and means in the city of Washington and elsewhere, and traveling expenses of employees and advisory council, \$54,587, of which such amounts as may be necessary may be expended by contract or otherwise for the services of consulting landscape architects without reference to the Classification Act of 1923, as amended, or civil-service rules.

National Arboretum.

44 Stat. 1422.  
20 U. S. C. §§ 191-194.

**Nematology:** For crop technological investigations, including the study of plant-infesting nematodes, \$48,961.

Consulting landscape architects.  
5 U. S. C. §§ 861-874; Supp. IV, §§ 673, 673c.

Nematology.

**Plant exploration and introduction:** For investigations in seed and plant introduction, including the study, collection, purchase, testing, propagation, and distribution of rare and valuable seeds, bulbs, trees, shrubs, vines, cuttings, and plants from foreign countries and from our possessions, and for experiments with reference to their introduction and cultivation in this country, \$200,933: *Provided*, That not to exceed \$1,400 of this amount may be expended for the purchase of approximately twenty acres of land to enlarge the United States Plant Introduction Garden at Glenn Dale, Maryland.

Plant exploration and introduction.

*Proviso.*  
Glenn Dale, Md., additional land.

**Plant nutrition:** For plant-nutrition investigations, \$16,024.

Plant nutrition.

**Rubber and other tropical plants:** For investigation of crops from tropical regions and for the study and improvement of rubber plants by cultural methods, breeding, acclimatization, adaptation, and selection, and for investigation of their diseases, \$46,749.

Rubber, etc., plants.

**Soil chemical and physical investigations:** For chemical, physical, and physical-chemical investigations of soil types, soil composition, and soil minerals, the soil solution, solubility of soil, and all chemical and physical properties of soils in their relation to soil formation, soil texture, erosibility, and soil productivity, \$76,700.

Soil chemical and physical investigations.

**Soil-fertility investigations:** For soil investigations into causes of infertility; maintenance of productivity; effects of soil composition, cultural methods, and fertilizers on yield and quality of crops; and the properties, composition, formation, and transformation of soil organic matter, \$121,622.

Soil-fertility investigations.

**Soil microbiology investigations:** For investigations of the microorganisms of the soil and their activities, including the testing of samples procured in the open market, of cultures for inoculating legumes, other crops, or soil, and the publication of results, and if

Soil microbiology investigations.

Publication of results.	any such samples are found to be impure, nonviable, or misbranded, the results of the tests may be published, together with the names of the manufacturers and of the persons by whom the cultures were offered for sale, \$39,854.
Soil survey.	Soil survey: For the investigation of soils and their origin, for survey of the extent of classes and types, and for indicating upon maps and plats, by coloring or otherwise, the results of such investigations and surveys, \$298,708.
Sugar-plant investigations.	Sugar-plant investigations: For sugar-plant investigations, including studies of diseases and the improvement of sugar beets and sugar-beet seed, \$330,000.
Tobacco investigations.	Tobacco investigations: For the investigation and improvement of tobacco and the methods of tobacco production and handling, \$135,544.
Personal services.	Total, salaries and expenses, Bureau of Plant Industry, \$5,183,009, of which amount not to exceed \$1,761,950 may be expended for departmental personal services in the District of Columbia and not to exceed \$25,325 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.
Vehicles.	

## FOREST SERVICE

### SALARIES AND EXPENSES

Experiments and investigations.	For the employment of persons and means in the District of Columbia and elsewhere to enable the Secretary of Agriculture to experiment and to make and continue investigations and report on forestry, national forests, forest fires, and lumbering, but no part of this appropriation shall be used for any experiment or test made outside the jurisdiction of the United States; to advise the owners of woodlands as to the proper care of the same; to investigate and test American timber and timber trees and their uses, and methods for the preservative treatment of timber; to seek, through investigations and the planting of native and foreign species, suitable trees for the treeless regions; to erect necessary buildings: <i>Provided</i> , That the cost of any building purchased, erected, or as improved, exclusive of the cost of constructing a water-supply or sanitary system and of connecting the same with any such building, and exclusive of the cost of any tower upon which a lookout house may be erected, shall not exceed \$7,500, with the exception that any building erected, purchased, or acquired, the cost of which was \$7,500 or more, may be improved out of the appropriations made under this Act for the Forest Service by an amount not to exceed 2 per centum of the cost of such building as certified by the Secretary of Agriculture; to protect, administer, and improve the national forests, including tree planting and other measures to prevent erosion, drift, surface wash, soil waste, and the formation of floods, and to conserve water and including the payment of rewards under regulations of the Secretary of Agriculture for information leading to the arrest and conviction for violation of the laws and regulations relating to fires in or near national forests, or for the unlawful taking of, or injury to, Government property; to ascertain the natural conditions upon and utilize the national forests, to transport and care for fish and game supplied to stock the national forests or the waters therein; to collate, digest, report, and illustrate the results of experiments and investigations made by the Forest Service; to purchase law books, reference and technical books, and technical journals for officers of the Forest Service stationed outside of Washington, and for medical supplies and services and other assistance necessary for the immediate relief of artisans, laborers, and other
Restricted to United States.	
<i>Provisos.</i> Cost of buildings.	
Protection, etc., of national forests.	
Care of fish and game.	
Supplies, etc.	

employees engaged in any hazardous work under the Forest Service: *Provided further*, That the appropriations for the work of the Forest Service shall be available for meeting the expenses of warehouse maintenance and the procurement, care, and handling of supplies, equipment, and materials stored therein for distribution to projects under the supervision of the Forest Service and for sale and distribution to other Government activities and to State and private agencies who cooperate with the Forest Service in fire control under terms of written cooperative agreements, the cost of such supplies, equipment, and materials, including the cost of supervision, transportation, warehousing, and handling, to be reimbursed to appropriations current at the time additional supplies and materials are procured for warehouse stocks: *Provided further*, That the Forest Service may rent equipment to other Federal agencies at rates sufficient to reimburse the appropriations of the Forest Service that would otherwise be chargeable with the cost of the repair, maintenance, and depreciation of such equipment, as follows:

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of the Chief Forester, for the necessary expenses of the National Forest Reservation Commission as authorized by section 14 of the Act of March 1, 1911 (16 U. S. C. 514), and for other personal services in the District of Columbia, \$607,500.

National forest protection and management: For the administration, protection, use, maintenance, improvement, and development of the national forests, including the establishment and maintenance of forest tree nurseries, including the procurement of tree seed and nursery stock by purchase, production, or otherwise, seeding and tree planting and the care of plantations and young growth; the maintenance and operation of aerial fire control by contract or otherwise; the maintenance of roads and trails and the construction and maintenance of all other improvements necessary for the proper and economical administration, protection, development, and use of the national forests, including experimental forests: *Provided*, That where, in the opinion of the Secretary of Agriculture, direct purchases will be more economical than construction, improvements may be purchased; the construction, equipment, and maintenance of sanitary, fire preventive, and recreational facilities; control of destructive forest tree diseases and insects; timber cultural operations; development and application of fish and game management plans; propagation and transplanting of plants suitable for planting on semiarid portions of the national forests; estimating and appraising of timber and other resources and development and application of plans for their effective management, sale, and use; examination, classification, surveying, and appraisal of land incident to effecting exchanges authorized by law and of lands within the boundaries of the national forests that may be opened to homestead settlement and entry under the Act of June 11, 1906, and the Act of August 10, 1912 (16 U. S. C. 506–509), as provided by the Act of March 4, 1913 (16 U. S. C. 512); and all expenses necessary for the use, maintenance, improvement, protection, and general administration of the national forests, including lands under contract for purchase or for the acquisition of which condemnation proceedings have been instituted under the Act of March 1, 1911 (16 U. S. C. 521), and the Act of June 7, 1924 (16 U. S. C. 471, 499, 505, 564–570), lands transferred by authority of the Secretary of Agriculture from the Resettlement Administration to the Forest Service, and lands transferred to the Forest Service under authority of the Bankhead-Jones Farm Tenant Act, \$12,004,000: *Provided*, That \$200 of this appropriation shall be available for the expenses of properly caring for the graves of fire

Warehouse maintenance, etc.

Cooperative forest fire control.

Rent of equipment to other Federal agencies.

Administrative expenses.

36 Stat. 963.  
16 U. S. C. § 514.

National forest protection and management.

Nurseries.

Aerial fire control.

Experimental forests.  
*Provided*.  
Direct purchases.

Classification, etc., lands opened to entry, etc.

34 Stat. 233; 37 Stat. 287, 842; 43 Stat. 1144.  
16 U. S. C. §§ 506–509, 512.

Purchase or acquisition.  
36 Stat. 963; 43 Stat. 655.  
16 U. S. C. §§ 521, 471, 499, 505, 564–570.  
Lands transferred.

50 Stat. 522.  
7 U. S. C., Supp. IV, ch. 33.  
*Provided*.  
Care of graves of fire fighters.

Basis of expenditure for schools and roads from sales of forest products.  
35 Stat. 260; 37 Stat. 843.  
16 U. S. C. §§ 500, 501.

Investigation, etc., of water rights.

Fighting forest fires.

Private forestry co-operation.

Forest research.

45 Stat. 699.  
16 U. S. C. §§ 581, 581a, 581f-581i; Supp. IV, § 581a.  
Forest management.  
45 Stat. 700.

Range investigations.

45 Stat. 701.

Forest products.  
45 Stat. 701.

Forest survey.  
45 Stat. 702.

Forest economics.  
45 Stat. 702.

Forest influences.

Tropical forest experiment station.

45 Stat. 700.  
16 U. S. C. § 581a; Supp. IV, § 581a.

Aggregate; additional, from contributions.

fighters buried at Wallace, Idaho; Newport, Washington; and Saint Maries, Idaho: *Provided further*, That in sales of logs, ties, poles, posts, cordwood, pulpwood, and other forest products the amounts made available for schools and roads by the Act of May 23, 1908 (16 U. S. C. 500), and the Act of March 4, 1913 (16 U. S. C. 501), shall be based upon the stumpage value of the timber.

**Water rights:** For the investigation and establishment of water rights, including the purchase thereof or of lands or interests in lands or rights-of-way for use and protection of water rights necessary or beneficial in connection with the administration and public use of the national forests, \$20,000.

**Fighting forest fires:** For fighting and preventing forest fires on or threatening the national forests and unappropriated public forest lands, \$100,000, which amount shall be immediately available.

**Private forestry cooperation:** For cooperation with and advice to timberland owners and associations, wood-using industries or other appropriate agencies in the application of forest management principles to private forest lands, so as to attain sustained yield management, the conservation of the timber resource, the productivity of forest lands, and the stabilization of employment and economic continuance of forest industries, \$100,000.

**Forest research:** For forest research in accordance with the provisions of sections 1, 2, 7, 8, 9, and 10 of the Act entitled "An Act to insure adequate supplies of timber and other forest products for the people of the United States, to promote the full use for timber growing and other purposes of forest lands in the United States, including farm wood lots and those abandoned areas not suitable for agricultural production, and to secure the correlation and the most economical conduct of forest research in the Department of Agriculture through research in reforestation, timber growing, protection, utilization, forest economics, and related subjects", approved May 22, 1928, as amended (16 U. S. C. 581, 581a, 581f-581i), as follows:

**Forest management:** Fire, silvicultural, and other forest investigations and experiments under section 2, as amended, at forest experiment stations or elsewhere, \$613,403, of which \$5,000 shall be for investigations of the lowland hardwoods in the lower Mississippi River Basin.

**Range investigations:** Investigations and experiments to develop improved methods of management of forest and other ranges under section 7, at forest or range experiment stations or elsewhere, \$245,935.

**Forest products:** Experiments, investigations, and tests of forest products under section 8, at the Forest Products Laboratory, or elsewhere, \$664,181.

**Forest survey:** A comprehensive forest survey under section 9, \$250,000.

**Forest economics:** Investigations in forest economics under section 10, \$149,295.

**Forest influences:** For investigations and experiments at forest experiment stations or elsewhere for determining and demonstrating the influence of natural vegetative cover characteristic of forest, range, or other wild land on water conservation, flood control, stream-flow regulation, erosion, climate, and maintenance of soil productivity, and for developing preventive and control measures therefor, \$139,152.

**Tropical forest experiment station:** For the establishment and maintenance of a forest experiment station in the tropical possessions of the United States in the West Indies, pursuant to section 2 of the Act of May 22, 1928 (16 U. S. C. 581a), \$30,000.

In all, salaries and expenses, \$14,923,466; and in addition thereto there are hereby appropriated all moneys received as contributions

toward cooperative work under the provisions of section 1 of the Act approved March 3, 1925 (16 U. S. C. 572), which funds shall be covered into the Treasury and constitute a part of the special funds provided by the Act of June 30, 1914 (16 U. S. C. 498): *Provided*, That not to exceed \$859,659 may be expended for departmental personal services in the District of Columbia: *Provided further*, That not to exceed \$1,500 may be expended for the contribution of the United States to the cost of the office of the secretariat of the International Union of Forest Research Stations and of the Department of Timber Utilization of the Comité International du Bois.

43 Stat. 1132.  
16 U. S. C. § 572.  
38 Stat. 430.  
16 U. S. C. § 498.  
*Provido.*  
Personal services.  
International Union  
of Forest Research  
Stations, contribu-  
tion.

#### FOREST-FIRE COOPERATION

For cooperation with the various States or other appropriate agencies in forest-fire prevention and suppression and the protection of timbered and cut-over lands in accordance with the provisions of sections 1, 2, and 3 of the Act entitled "An Act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote continuous production of timber on lands chiefly valuable therefor", approved June 7, 1924 (16 U. S. C. 564-570), as amended, including also the study of the effect of tax laws and the investigation of timber insurance as provided in section 3 of said Act, \$2,200,000, of which not to exceed \$54,800 shall be available for departmental personal services in the District of Columbia and not to exceed \$2,500 for the purchase of supplies and equipment required for the purposes of said Act in the District of Columbia.

Cooperation with  
States, etc.

43 Stat. 653.  
16 U. S. C. §§ 564-  
566.  
Study of effect of  
tax laws and inves-  
tigation of timber in-  
surance.  
Personal services.  
Supplies and equip-  
ment.

#### COOPERATIVE DISTRIBUTION OF FOREST PLANTING STOCK

For cooperation with the various States in the procurement, production, and distribution of forest-tree seeds and plants in establishing windbreaks, shelterbelts, and farm wood lots upon denuded or nonforested lands within such cooperating States, under the provisions of section 4 of the Act entitled "An Act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes, in order to promote the continuous production of timber on lands chiefly suitable therefor", approved June 7, 1924 (16 U. S. C. 567), and Acts supplementary thereto, \$100,000, which amount shall be available for the employment of persons and means in the District of Columbia and elsewhere.

Cooperation with  
States, etc.

43 Stat. 654.  
16 U. S. C. § 567.

#### ACQUISITION OF LANDS FOR NATIONAL FORESTS

For the acquisition of forest lands under the provisions of the Act approved March 1, 1911, as amended (16 U. S. C. 513-519, 521), under sound commercial title satisfactory to the Attorney General as provided in said Act, including the transfer to the Office of the Solicitor of such funds for the employment by that office of persons and means in the District of Columbia and elsewhere as may be necessary in connection with the acquisition of such lands, \$3,000,000: *Provided*, That not to exceed \$112,500 of the sum appropriated in this paragraph may be expended for departmental personal services in the District of Columbia.

Acquisition, under  
Conservation Act.  
36 Stat. 961.  
16 U. S. C. §§ 513-  
519, 521.

*Provido.*  
Personal services.

For the acquisition of land to facilitate the control of soil erosion and flood damage originating within the exterior boundaries of the following national forests, in accordance with the provisions of the following Acts authorizing annual appropriations of forest receipts for such purposes, and in not to exceed the following amounts from such receipts: Uinta and Wasatch National Forests, Utah, Act of August 26, 1935 (49 Stat. 866), \$40,000; Cache National Forest, Utah,

Soil erosion and  
flood damage.

Acquisition of desig-  
nated lands from for-  
est receipts.

49 Stat. 866.

52 Stat. 347, 699, 1205.

Act of May 11, 1938 (52 Stat. 347), \$6,000; San Bernardino and Cleveland National Forests in Riverside County, California, Act of June 15, 1938 (52 Stat. 699), \$15,000; Nevada and Toiyabe National Forests, Nevada, Act of June 25, 1938 (52 Stat. 1205), \$10,000; in all, \$71,000.

Vehicles, field work.

Total, Forest Service, \$20,294,466, of which amount not to exceed \$61,628 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia, and in addition thereto there is authorized for expenditure from funds provided for carrying out the provisions of the Federal Highway Act of November 9, 1921 (23 U. S. C. 21, 23), not to exceed \$9,755 for the purchase of motor-propelled passenger-carrying vehicles for use by the Forest Service in the construction and maintenance of national-forest roads.

42 Stat. 217.  
23 U. S. C. §§ 21, 23.

## BUREAU OF AGRICULTURAL CHEMISTRY AND ENGINEERING

### SALARIES AND EXPENSES

Investigations, demonstrations, etc.

For investigations, experiments, and demonstrations hereinafter authorized, independently or in cooperation with other branches of the Department of Agriculture, other departments or agencies of the Federal Government, States, State agricultural experiment stations, universities, and other State agencies and institutions, counties, municipalities, business, farm, or other organizations and corporations, individuals, associations, and scientific societies, including the employment of necessary persons and means in the city of Washington and elsewhere; and for erection, alteration, and repair of buildings outside the District of Columbia at a total cost not to exceed \$15,000, as follows:

Administrative expenses.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of Chief of Bureau and other personal services in the District of Columbia, \$112,800.

Agricultural chemical investigations.  
12 Stat. 387.  
5 U. S. C. §§ 511, 512.  
Biological, etc., investigations.

Agricultural chemical investigations: For conducting the investigations contemplated by the Act of May 15, 1862 (5 U. S. C. 511, 512), relating to the application of chemistry to agriculture; for the biological, chemical, physical, microscopical, and technological investigation of foods, feeds, drugs, plant and animal products, and substances used in the manufacture thereof; for investigations of the physiological effects and for the pharmacological testing of such products and of insecticides; for the investigation and development of methods for the manufacture of sugars, sugar sirups, and starches and the utilization of new agricultural materials for such purposes; for the technological investigation of the utilization of fruits and vegetables and for frozen pack investigations; for the investigation of chemicals for the control of noxious weeds and plants; and to cooperate with associations and scientific societies in the development of methods of analysis, \$411,500, of which amount not to exceed \$19,000 shall be available for the construction and equipment of an addition to the United States Citrus Products Laboratory, Winter Haven, Florida.

Methods of sugar manufacture, etc.

Utilization of fruits and vegetables.  
Frozen pack investigations.  
Control of noxious weeds, etc.Winter Haven, Fla., Citrus Products Laboratory, addition.  
Industrial utilization of farm products and byproducts.

Industrial utilization of farm products and byproducts: For the investigation, development, experimental demonstration and application of methods for the industrial utilization of agricultural products, waste, and byproducts, and products made therefrom, except as otherwise provided for in this Act, by the application of chemical, physical, and technological methods, including the changes produced by micro-organisms such as yeasts, bacteria, molds, and fungi; the utilization for color, medicinal, and technical purposes of substances grown or produced in the United States, \$191,200.

Utilization of native substances for color, medicinal, etc., purposes.

**Agricultural engineering investigations:** For investigations, experiments, and demonstrations involving the application of engineering principles to agriculture for the investigation, development, experimental demonstration, and application of methods for the prevention and control of dust explosions and fires during the harvesting, handling, milling, processing, fumigating, and storing of agricultural products, and of other dust explosions and resulting fires not otherwise provided for, including fires in grain mills and elevators, cotton gins, cotton-oil mills, and other structures; the heating, charring, and ignition of agricultural products; fires on farms and in rural communities and other explosions and fires in connection with farm and agricultural operations; for investigating and reporting upon the different kinds of farm power and appliances; upon farm domestic water supply and sewage disposal, upon the design and construction of farm buildings and their appurtenances and of buildings for processing and storing farm products; upon farm power and mechanical farm equipment and rural electrification; upon the engineering problems relating to the processing, transportation, and storage of perishable and other agricultural products; and upon the engineering problems involved in adapting physical characteristics of farm land to the use of modern farm machinery; for investigations of cotton ginning under the Act approved April 19, 1930 (7 U. S. C., 424, 425); for giving expert advice and assistance in agricultural and chemical engineering; for collating, reporting, and illustrating the results of investigations and preparing, publishing, and distributing bulletins, plans, and reports, \$349,469.

Agricultural engineering investigations.

Cotton ginning.  
46 Stat. 248.  
7 U. S. C. §§ 424, 425.

**Naval-stores investigations:** For the investigation of naval stores (turpentine and rosin) and their components; the investigation and experimental demonstration of improved equipment, methods, or processes of preparing naval stores; the weighing, storing, handling, transportation, and utilization of naval stores; and for the assembling and compilation of data on production, distribution, and consumption of turpentine and rosin, pursuant to the Act of August 15, 1935 (5 U. S. C. 556b), \$89,400.

Naval-stores investigations.

49 Stat. 653.  
5 U. S. C., Supp. IV,  
§ 556b.

**Fertilizer investigations:** For investigations within the United States of fertilizers, fertilizer ingredients, including phosphoric acid and potash, and other soil amendments and their suitability for agricultural use, \$225,000.

Fertilizer investigations.

Total, salaries and expenses, Bureau of Agricultural Chemistry and Engineering, \$1,379,369, of which amount not to exceed \$895,500 may be expended for personal services in the District of Columbia, and not to exceed \$3,725 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

Personal services.

Vehicles.

## BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

### SALARIES AND EXPENSES

For necessary expenses connected with investigations, experiments, and demonstrations for the promotion of economic entomology, for investigating and ascertaining the best means of destroying insects and related pests injurious to agriculture, for investigating and importing useful and beneficial insects and bacterial, fungal, and other diseases of insects and related pests, for investigating and ascertaining the best means of destroying insects affecting man and animals, to enable the Secretary of Agriculture to carry into effect the provisions of the Plant Quarantine Act of August 20, 1912, as amended, to conduct other activities hereinafter authorized, and for the eradication, control, and prevention of spread of injurious insects and plant pests, independently or in cooperation with other branches

Investigations, etc.

Plant Quarantine  
Act, enforcement.  
37 Stat. 315.  
7 U. S. C. ch. 8;  
Supp. IV, ch. 8.



	of the Federal Government, States, counties, municipalities, corporations, agencies, individuals, or with foreign governments; including the employment of necessary persons and means in the District of Columbia and elsewhere, rent, construction, or repair of necessary buildings outside the District of Columbia: <i>Provided</i> , That, unless otherwise specifically provided, the cost for the construction of any building shall not exceed \$1,500 and the total amount expended for such construction in any one year shall not exceed \$7,000, as follows:
<i>Proviso.</i> Cost of buildings.	General administrative expenses: For general administrative purposes, including the salary of Chief of Bureau and other personal services, \$166,280.
General administra- tive expenses.	Fruit insects: For insects affecting fruits, grapes, and nuts, \$428,600.
Fruit insects.	Japanese beetle control: For the control and prevention of spread of the Japanese beetle, \$395,000.
Japanese beetle con- trol.	Sweetpotato weevil control: For the determination and application of such methods of control for sweetpotato weevils as, in the judgment of the Secretary of Agriculture, may be necessary, \$75,000: <i>Provided</i> , That, in the discretion of the Secretary of Agriculture, no part of this appropriation shall be expended for the control of sweetpotato weevil in any State until such State has provided cooperation necessary to accomplish this purpose: <i>Provided further</i> , That no part of this appropriation shall be used to pay the cost or value of farm animals, farm crops, or other property injured or destroyed.
Sweetpotato weevil control.	Mexican fruitfly control: For the control and prevention of spread of the Mexican fruitfly, including necessary surveys and control operations in Mexico in cooperation with the Mexican Government or local Mexican authorities, \$160,460.
<i>Provisos.</i> State cooperation.	Citrus canker eradication: For determining and applying such methods of eradication or control of the disease of citrus trees known as "citrus canker" as in the judgment of the Secretary of Agriculture may be necessary, including cooperation with such authorities of the States concerned, organizations of growers, or individuals, as he may deem necessary to accomplish such purposes, \$13,485: <i>Provided</i> , That no part of the money herein appropriated shall be used to pay the cost or value of trees or other property injured or destroyed.
No indemnity for destroyed, etc., prop- erty.	Gypsy and brown-tail moth control: For the control and prevention of spread of the gypsy and brown-tail moths, \$375,000.
Mexican fruitfly control.	Dutch elm disease eradication: For determining and applying methods of eradication, control, and prevention of spread of the disease of elm trees known as "Dutch elm disease" and of a virus disease of elm trees prevalent in the Ohio Valley, \$500,000: <i>Provided</i> , That, in the discretion of the Secretary of Agriculture, no expenditures from this appropriation shall be made for these purposes until a sum or sums at least equal to such expenditures shall have been appropriated, subscribed, or contributed by State, county, or local authorities, or by individuals, or organizations concerned: <i>Provided further</i> , That no part of this appropriation shall be used to pay the cost or value of trees or other property injured or destroyed.
Citrus canker eradication.	Phony peach and peach mosaic eradication: For determining and applying such methods of eradication, control, and prevention of spread of the diseases of peach trees known as "phony peach" and "peach mosaic" as in the judgment of the Secretary of Agriculture may be necessary, including cooperation with such authorities of the States concerned, organizations of growers, or individuals, as he may deem necessary to accomplish such purposes, including the certification of products out of the infested areas to meet the requirements of State quarantines, \$89,800: <i>Provided</i> , That no part of the money herein appropriated shall be used to pay the cost or value of trees or other property injured or destroyed.
<i>Proviso.</i> No indemnity for destroyed, etc., prop- erty.	
Gypsy, etc., moth control.	
Dutch elm disease eradication.	
<i>Provisos.</i> State, etc., contri- butions.	
No indemnity for destroyed, etc., prop- erty.	
Phony peach, etc., eradication.	
<i>Proviso.</i> No indemnity for destroyed, etc., prop- erty.	

Forest insects: For insects affecting forests and forest products, under section 4 of the Act approved May 22, 1928 (16 U. S. C. 531c), entitled "An Act to insure adequate supplies of timber and other forest products for the people of the United States, to promote the full use for timber growing and other purposes of forest lands in the United States, including farm wood lots and those abandoned areas not suitable for agricultural production, and to secure the correlation and the most economical conduct of forest research in the Department of Agriculture, through research in reforestation, timber growing, protection, utilization, forest economics, and related subjects", and for insects affecting ornamental trees and shrubs, \$253,100: *Provided*, That \$10,000 of this amount shall only be available for expenditure when matched by State funds.

Forest insects.  
45 Stat. 701.  
16 U. S. C. § 581c.

Ornamental trees  
and shrubs.  
*Proviso.*  
Matching by State  
funds.  
Blister rust control.

Blister rust control: For applying such methods of eradication, control, and prevention of spread of the white pine blister rust as in the judgment of the Secretary of Agriculture may be necessary to accomplish such purposes, and in the discretion of the Secretary of Agriculture no expenditures shall be made for these purposes until a sum or sums at least equal to such expenditures shall have been appropriated, subscribed, or contributed by State, county, or local authorities, or by individuals or organizations concerned, \$300,000: *Provided*, That no part of this appropriation shall be used to pay the cost or value of trees or other property injured or destroyed.

*Proviso.*  
No indemnity for  
destroyed, etc., prop-  
erty.

Truck crop and garden insects: For insects affecting truck crops, ornamental and garden plants, including tobacco, sugar beets, and greenhouse and bulbous crops, \$381,580.

Truck crop and  
garden insects.

Cereal and forage insects: For insects affecting cereal and forage crops, including sugarcane and rice, and including research on the European corn borer, \$383,700.

Cereal and forage  
insects.

European corn borer control: For the control and prevention of spread of the European corn borer and for the certification of products out of the infested areas to meet the requirements of State quarantines on account of the European corn borer, \$32,939.

European corn borer  
control.

Barberry eradication: For the eradication of the common barberry and for applying such other methods of eradication, control, and prevention of spread of cereal rusts as in the judgment of the Secretary of Agriculture may be necessary to accomplish such purposes, \$175,000: *Provided*, That, in the discretion of the Secretary of Agriculture, no expenditures from this appropriation shall be made for these purposes until a sum or sums at least equal to such expenditures shall have been appropriated, subscribed, or contributed by States, counties, or local authorities, or by individuals or organizations for the accomplishment of such purposes: *Provided further*, That no part of the money herein appropriated shall be used to pay the cost or value of property injured or destroyed.

Barberry eradica-  
tion.

*Provisos.*  
State, etc., contri-  
butions.

No indemnity for  
destroyed, etc., prop-  
erty.

Cotton insects: For insects affecting cotton, \$144,544.

Cotton insects.

Pink bollworm control: For the control and prevention of spread of the pink bollworm, including the establishment of such cotton-free areas as may be necessary to stamp out any infestation, and for necessary surveys and control operations in Mexico in cooperation with the Mexican Government or local Mexican authorities, \$906,800.

Pink bollworm con-  
trol.

Cooperation with  
Mexican Govern-  
ment.

Bee culture: For bee culture and apiary management, \$83,000.

Bee culture.

Thurberia weevil control: For the control and prevention of spread of the Thurberia weevil, \$2,808.

Thurberia weevil  
control.

Insects affecting man and animals: For insects affecting man, household possessions, and animals, \$181,500.

Insects affecting  
man and animals.

Insect-pest survey and identification: For the identification and classification of insects, including taxonomic, morphological, and

Insect-pest survey  
and identification.

related phases of insect-pest control and the maintenance of an insect-pest survey for the collection and dissemination of information to Federal, State, and other agencies concerned with insect-pest control, \$154,790.

Foreign parasites.

Foreign parasites: For administrative expenses in connection with the introduction of natural enemies of injurious insects and related pests and for the exchange with other countries of useful and beneficial insects and other arthropods, \$38,000.

Control investigations.

Control investigations: For developing equipment or apparatus to aid in enforcing plant quarantines, eradication and control of plant pests, determining methods of disinfecting plants and plant products to eliminate injurious pests, determining the toxicity of insecticides, and related phases of insect-pest control, \$67,518.

Insecticide and fungicide investigations.

Insecticide and fungicide investigations: For the investigation and development of methods of manufacturing insecticides and fungicides, and for investigating chemical problems relating to the composition, action, and application of insecticides and fungicides, \$134,984.

Transit inspection.  
37 Stat. 315.  
7 U. S. C. §§ 161,  
164a.

Transit inspection: For the inspection in transit or otherwise of articles quarantined under the Act of August 20, 1912 (7 U. S. C. 161, 164a), as amended, and for the interception and disposition of materials found to have been transported interstate in violation of quarantines promulgated thereunder, \$44,059.

Foreign plant quarantines.  
Mexican cotton, etc.

Foreign plant quarantines: For enforcement of foreign plant quarantines, at the port of entry and port of export, and to prevent the movement of cotton and cottonseed from Mexico into the United States, including the regulation of the entry into the United States of railway cars and other vehicles, and freight, express, baggage, or other materials from Mexico, and the inspection, cleaning, and disinfection thereof, including construction and repair of necessary buildings, plants, and equipment, for the fumigation, disinfection, or cleaning of products, railway cars, or other vehicles entering the United States from Mexico, \$680,000: *Provided*, That any moneys received in payment of charges fixed by the Secretary of Agriculture on account of such cleaning and disinfection shall be covered into the Treasury as miscellaneous receipts.

Inspection, cleaning, etc.

*Proviso.*  
Receipts covered into Treasury.

Certification of exports.

Certification of exports: For the inspection, under such rules and regulations as the Secretary of Agriculture may prescribe, of domestic plants and plant products when offered for export and to certify to shippers and interested parties as to the freedom of such products from injurious plant diseases and insect pests according to the sanitary requirements of the foreign countries affected and to make such reasonable charges and to use such means as may be necessary to accomplish this object, \$31,862: *Provided*, That moneys received on account of such inspection and certification shall be covered into the Treasury as miscellaneous receipts.

*Proviso.*  
Receipts covered into Treasury.

Insect pests and plant diseases, control.

Control of incipient and emergency outbreaks of insect pests and plant diseases: Not to exceed \$400,000 of the funds appropriated under this head in the First Deficiency Appropriation Act, fiscal year 1939 (Public, Numbered 7, Seventy-sixth Congress), approved March 15, 1939, shall remain available until June 30, 1940.

*Ante*, p. 514.

Personal services.  
Vehicles.

Total salaries and expenses, Bureau of Entomology and Plant Quarantine, \$6,199,809, of which amount not to exceed \$879,986 may be expended for personal services in the District of Columbia, and not to exceed \$40,900 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

## BUREAU OF BIOLOGICAL SURVEY

## SALARIES AND EXPENSES

For the employment of persons and means in the city of Washington and elsewhere, including the purchase of printed bags, tags, and labels, without regard to existing laws applicable to public printing, and all other expenses necessary in conducting investigations and carrying out the work of the Bureau, including cooperation with Federal, State, county, or other agencies or with farm bureaus, organizations, or individuals, as follows:

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of Chief of Bureau and other personal services in the District of Columbia, \$118,000.

Food habits of birds and animals: For investigating the food habits and economic value of North American birds and animals in relation to agriculture, horticulture, and forestry, including methods of conserving beneficial and controlling injurious birds and animals, \$68,140.

Fur resources investigations: For investigations, experiments, demonstrations, and cooperation in connection with the production and utilization of animals the pelts of which are used commercially for fur, including the erection of necessary buildings and other structures, \$91,000.

Biological investigations: For biological investigations, including the relations, habits, geographic distribution, and migration of animals and plants, and the preparation of maps of the life zones, and including \$30,738 for investigations of the relations of wild animal life to forests, under section 5 of the Act approved May 22, 1928 (16 U. S. C. 581d), and for investigations of the wildlife resources of the Territory of Alaska, including the erection of necessary buildings and other structures, \$186,000.

Control of predatory animals and injurious rodents: For investigations, demonstrations, and cooperation in destroying animals injurious to agriculture, horticulture, forestry, animal husbandry, and wild game, as authorized by the Act of March 2, 1931 (7 U. S. C. 426-426b); and in protecting stock and other domestic animals through the suppression of rabies and other diseases in predatory wild animals; and for construction, repairs, additions, and installations in and about the grounds and buildings of the game-management supply depot and laboratory at Pocatello, Idaho, including purchase, transportation, and handling of supplies and materials for distribution from said depot to other projects, in accordance with the provisions of the Act approved June 24, 1936 (16 U. S. C. 667), \$700,000.

Protection of migratory birds: For all necessary expenses for enforcing the provisions of the Migratory Bird Treaty Act of July 3, 1918, as amended by the Act of June 20, 1936 (16 U. S. C. 703-711), to carry into effect the treaty with Great Britain for the protection of birds migrating between the United States and Canada (39 Stat., pt. 2, 1702), and the convention between the United States and the United Mexican States for the protection of migratory birds and game mammals; for cooperation with local authorities in the protection of migratory birds, and for necessary investigations connected therewith; for the enforcement of sections 241, 242, 243, and 244 of the Act approved March 4, 1909 (18 U. S. C. 391-394), entitled "An Act to codify, revise, and amend the penal laws of the United States", as amended by title II of the Act approved June 15, 1935 (18 U. S. C. 392-394), and for the enforcement of section 1 of the Act approved May 25, 1900 (16 U. S. C. 701), entitled "An Act to enlarge the powers of the Department of Agriculture, prohibit the transportation by interstate commerce of game killed in violation of local laws, and for other pur-

Salaries and expenses.

General administrative expenses.

Food habits of birds and animals.

Fur resources investigations.

Biological investigations.

45 Stat. 701.  
16 U. S. C. § 581d.

Predatory animals and injurious rodents, control.

46 Stat. 1468.  
7 U. S. C. §§ 426-426b.

Pocatello, Idaho, depot and laboratory.

49 Stat. 1913.  
16 U. S. C., Supp. IV, § 667.

Protection of migratory birds.

40 Stat. 755; 49 Stat. 1556.

16 U. S. C. §§ 703-711; Supp. IV, §§ 703-709a.

39 Stat. 1702.

Cooperation with local authorities.

Traffic in game and other wildlife.

35 Stat. 1137; 49 Stat. 380.

18 U. S. C. §§ 391-394; Supp. IV, §§ 392-394.

Preservation of game and wild birds.

31 Stat. 187.  
16 U. S. C. § 701.

Securing information of law violations.

Enforcement of Alaska game law.  
43 Stat. 739; 46 Stat. 1111; 52 Stat. 1169.  
48 U. S. C. §§ 192-211; Supp. IV, §§ 192-207.  
Mammal and bird reservations.

Construction, materials, etc.

Wichita Mountains Wildlife Refuge, roads.

Taking of eggs on bird breeding grounds.  
35 Stat. 1104.  
18 U. S. C. § 145.

Prohibited acts on acquired areas.  
45 Stat. 1224.  
16 U. S. C. § 715i.

Long-horned cattle, Wichita Mountains Wildlife Refuge.

Migratory bird conservation refuges.

39 Stat. 1702.

45 Stat. 1222; 49 Stat. 381.  
16 U. S. C. §§ 715-715r; Supp. IV, §§ 715d-1-715e-1.

poses", including all necessary investigations in connection therewith, \$365,000, of which not to exceed \$10,000 may be expended in the discretion of the Secretary of Agriculture for the purpose of securing information concerning violations of the laws for the enforcement of which this appropriation is made available.

**Enforcement of Alaska game law:** For the enforcement of the provisions of the Alaska game law, approved January 13, 1925, as amended by the Act of February 14, 1931, and by the Act of June 25, 1938 (48 U. S. C. 192-211), \$130,798.

**Maintenance of mammal and bird reservations:** For the maintenance of the Montana National Bison Range, the Upper Mississippi River Wildlife Refuge, the Bear River Migratory Bird Refuge, the Wichita Mountains Wildlife Refuge, and other reservations, and for the maintenance of game introduced into suitable localities on public lands, under supervision of the Biological Survey, including construction of fencing, wardens' quarters, shelters for animals, landings, roads, including the purchase of necessary materials to be used in conjunction with Works Progress Administration labor in improving roads in the Wichita Mountains Wildlife Refuge, not exceeding \$30,000, trails, bridges, ditches, telephone lines, rockwork, bulkheads, and other improvements necessary for the economical administration and protection of the reservations; for the enforcement of section 84 of the Act approved March 4, 1909 (18 U. S. C. 145), entitled "An Act to codify, revise, and amend the penal laws of the United States", and Acts amendatory thereto, and section 10 of the Migratory Bird Conservation Act of February 18, 1929 (16 U. S. C. 715i); for the purchase, capture, and transportation of game for national reservations; and for the maintenance of the herd of long-horned cattle on the Wichita Mountains Wildlife Refuge, \$630,000.

**Migratory bird conservation refuges:** For carrying into effect the provisions of the Act entitled "An Act to more effectively meet the obligations of the United States under the migratory-bird treaty with Great Britain (39 Stat., pt. 2, 1702) by lessening the dangers threatening migratory game birds from drainage and other causes by the acquisition of areas of land and water to furnish in perpetuity reservation for the adequate protection of such birds; and authorizing appropriations for the establishment of such areas, their maintenance and improvement, and for other purposes", approved February 18, 1929, as amended by title III of the Act approved June 15, 1935 (16 U. S. C. 715-715r), \$79,753, authorized by section 12 of the Act, which sum is a part of the remaining \$410,887 of the \$1,000,000 authorized to be appropriated for the fiscal year ending June 30, 1933.

In all, salaries and expenses, \$2,368,691.

#### UPPER MISSISSIPPI RIVER WILDLIFE REFUGE

Acquisition of areas.

43 Stat. 850.  
16 U. S. C. §§ 721-731.

For the acquisition of areas of land or land and water pursuant to the Act entitled "An Act to establish the Upper Mississippi River Wildlife and Fish Refuge", approved June 7, 1924 (16 U. S. C. 721-731), as amended, and for all necessary expenses incident thereto, to remain available until expended, \$60,000.

#### MIGRATORY BIRD CONSERVATION FUND

Migratory bird conservation fund.

For carrying into effect the provisions of section 4 of the Act entitled "An Act to supplement and support the Migratory Bird Conservation Act by providing funds for the acquisition of areas for use as migratory-bird sanctuaries, refuges, and breeding grounds, for developing and administering such areas, for the protection of

certain migratory birds, for the enforcement of the Migratory Bird Treaty Act and regulations thereunder, and for other purposes", approved March 16, 1934, as amended by an Act entitled "An Act to amend the Migratory Bird Hunting Stamp Act of March 16, 1934, and certain other Acts relating to game and other wildlife, administered by the Department of Agriculture, and for other purposes", approved June 15, 1935 (16 U. S. C. 718-718h), an amount equal to the sum received during the fiscal year 1940 from the proceeds from the sale of stamps, to be warranted monthly; and in addition thereto an amount equal to the unobligated balance on June 30, 1939, of the total of the proceeds received from the sale of stamps prior to July 1, 1939: *Provided*, That the sum of \$125,000 shall be advanced from the general fund of the Treasury on the first day of the fiscal year to the foregoing appropriation, to be returned to the surplus fund of the Treasury when the first \$125,000 of revenue from the sale of stamps has been received and warranted for the fiscal year 1940.

48 Stat. 451; 49 Stat. 378.  
16 U. S. C. §§ 718-718h; Supp. IV, §§ 718a-718c.

Receipts from stamp sales.

Balance available.

*Proviso.*  
Advance of funds from Treasury; reimbursement.

#### FEDERAL AID IN WILDLIFE RESTORATION

For carrying out the provisions of the Act entitled "An Act to provide that the United States shall aid the States in wildlife restoration projects, and for other purposes", approved September 2, 1937 (16 U. S. C. 669-669j), \$1,500,000: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury under the provisions of said Act.

Federal aid to States.  
50 Stat. 917.  
16 U. S. C., Supp. IV, §§ 669-669j.  
*Proviso.*  
Limitation on expenditures.

Total, Bureau of Biological Survey, \$4,053,691, of which amount not to exceed \$681,610 may be expended for personal services in the District of Columbia, and not to exceed \$72,100 shall be available for the purchase of motor-propelled passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia: *Provided*, That the appropriation of \$6,000,000 contained in title VII of the Act of June 15, 1935 (16 U. S. C. 715k-1), shall be available for the maintenance, repair, and operation of motor-propelled passenger-carrying vehicles.

Personal services.  
Vehicles for field work.

*Proviso.*  
Funds available for maintenance, etc.  
49 Stat. 384.  
16 U. S. C., Supp. IV, § 715k-1.

#### BUREAU OF PUBLIC ROADS

General administrative expenses: For the employment of persons and means, including rent, in the city of Washington and elsewhere for the purpose of conducting research and investigational studies, either independently or in cooperation with State highway departments, or other agencies, including studies of highway administration, legislation, finance, economics, transport, construction, operation, maintenance, utilization, and safety, and of street and highway traffic control; investigations and experiments in the best methods of road making, especially by the use of local materials; and studies of types of mechanical plants and appliances used for road building and maintenance and of methods of road repair and maintenance suited to the needs of different localities; for maintenance and repairs of experimental highways; for furnishing expert advice on these subjects; for collating, reporting, and illustrating the results of same; and for preparing, publishing, and distributing bulletins and reports; to be paid from any moneys available from the administrative funds provided under the Act of July 11, 1916 (39 Stat. 355-359), as amended, or as otherwise provided.

General administrative expenses.

Road-making experiments, etc.

39 Stat. 355; 42 Stat. 212.  
23 U. S. C. §§ 1-25; Supp. IV, ch. 1.

#### FEDERAL-AID HIGHWAY SYSTEM

For carrying out the provisions of the Act entitled "An Act to provide that the United States shall aid the States in the construction

Construction of rural postroads.

39 Stat. 355; 42  
Stat. 212.  
23 U. S. C. §§ 1-25;  
Supp. IV, ch. 1.  
Personal services.

49 Stat. 1519.  
23 U. S. C., Supp.  
IV, §§ 21a, 2a.  
Provisos.  
Convict labor.

Vehicles.  
42 Stat. 217.  
23 U. S. C. §§ 21, 23.

Replacements.

Depreciation on en-  
gineering, etc., equip-  
ment.

Warehouse main-  
tenance, etc.

Reimbursement for  
cost of materials, etc.

Medical supplies,  
etc., in emergencies.

of rural post roads, and for other purposes", approved July 11, 1916 (39 Stat. 355-359), and all Acts amendatory thereof and supplementary thereto, to be expended in accordance with the provisions of said Act, as amended, including not to exceed \$1,120,000 for departmental personal services in the District of Columbia, \$125,000,000, to be immediately available and to remain available until expended, which sum is the amount authorized to be appropriated for the fiscal year 1939, by section 1 of the Act approved June 16, 1936 (49 Stat. 1519-1520): *Provided*, That none of the money herein appropriated shall be paid to any State on account of any project on which convict labor shall be employed, except this provision shall not apply to convict labor performed by convicts on parole or probation: *Provided further*, That not to exceed \$45,000 of the funds provided for carrying out the provisions of the Federal Highway Act of November 9, 1921 (23 U. S. C. 21, 23), shall be available for the purchase of motor-propelled passenger-carrying vehicles necessary for carrying out the provisions of said Act, including the replacement of not to exceed one such vehicle for use in the administrative work of the Bureau of Public Roads in the District of Columbia: *Provided further*, That, during the fiscal year 1940, whenever performing authorized engineering or other services in connection with the survey, construction, and maintenance, or improvement of roads for other Government agencies the charge for such services may include depreciation on engineering and road-building equipment used, and the amounts received on account of such charges shall be credited to the appropriation concerned: *Provided further*, That during the fiscal year 1940 the appropriations for the work of the Bureau of Public Roads shall be available for meeting the expenses of warehouse maintenance and the procurement, care, and handling of supplies, materials, and equipment stored therein for distribution to projects under the supervision of the Bureau of Public Roads, and for sale and distribution to other Government activities, the cost of such supplies and materials or the value of such equipment (including the cost of transportation and handling) to be reimbursed to appropriations current at the time additional supplies, materials, or equipment are procured, from the appropriation chargeable with the cost or value of such supplies, materials, or equipment: *Provided further*, That the appropriations available to the Bureau of Public Roads may be used in emergency for medical supplies and services and other assistance necessary for the immediate relief of employees engaged on hazardous work under that Bureau.

#### FEDERAL-AID SECONDARY OR FEEDER ROADS

Federal-aid second-  
ary or feeder roads.

49 Stat. 1521.

For secondary or feeder roads, including farm-to-market roads, rural free delivery mail roads, and public-school bus routes, \$25,000,000, to be immediately available and to remain available until expended, which sum is the amount authorized to be appropriated for the fiscal year 1939 by section 7 of the Act approved June 16, 1936 (49 Stat. 1521).

#### ELIMINATION OF GRADE CROSSINGS

Elimination of rail-  
road grade crossings.

49 Stat. 1521.

For the elimination of hazards to life at railroad grade crossings, including the separation or protection of grades at crossings, the reconstruction of existing railroad grade-crossing structures, and the relocation of highways to eliminate grade crossings, \$40,000,000, to be immediately available and to remain available until expended, which sum is part of the \$50,000,000 authorized to be appropriated for the fiscal year 1939 by section 8 of the Act approved June 16, 1936 (49 Stat. 1521).

## PUBLIC-LANDS HIGHWAYS

For the survey, construction, reconstruction, and maintenance of main roads through unappropriated or unreserved public lands, non-taxable Indian lands, or other Federal reservations other than the forest reservations, under the provisions of the Act of June 24, 1930 (23 U. S. C. 3), \$1,000,000, to be immediately available and to remain available until expended, which sum is the amount authorized for the fiscal year 1940 by section 6 of the Act approved June 8, 1938 (52 Stat. 635).

Total, Bureau of Public Roads, \$191,000,000.

Survey, construction, etc.

46 Stat. 805.  
23 U. S. C. § 3.

52 Stat. 635.

## BUREAU OF AGRICULTURAL ECONOMICS

## SALARIES AND EXPENSES

For the employment of such persons and means in the city of Washington and elsewhere as may be necessary in conducting investigations, experiments, and demonstrations, either independently or in cooperation with public or private agencies, organizations, or individuals, as follows:

Salaries and expenses.

General administrative expenses: For necessary expenses for general administrative purposes, including personal services in the District of Columbia, \$88,900.

General administrative expenses.

Economic investigations: For acquiring and diffusing useful information among the people of the United States, and for aiding in formulating programs for authorized activities of the Department of Agriculture, relative to agricultural production, distribution, land utilization, and conservation in their broadest aspects, including farm management and practice, utilization of farm and food products, purchasing of farm supplies, farm population and rural life, farm labor, farm finance, insurance and taxation, adjustments in production to probable demand for the different farm and food products; land ownership and values, costs, prices and income in their relation to agriculture, including causes for their variations and trends, \$839,100: *Provided*, That the Secretary may transfer to this appropriation from the funds available for authorized activities of the Department of Agriculture, such sums as may be necessary for aiding in formulating programs for such authorized activities, including expenditures for employment of persons and means in the District of Columbia and elsewhere.

Economic investigations.

*Proriso.*  
Transfer of funds for aiding in formulating programs.

Total, salaries and expenses, Bureau of Agricultural Economics, \$928,000, of which amount not to exceed \$803,858 may be expended for personal services in the District of Columbia.

Personal services.

## AGRICULTURAL MARKETING SERVICE

## SALARIES AND EXPENSES

For the employment of such persons and means in the city of Washington and elsewhere as may be necessary in conducting investigations, experiments, and demonstrations, either independently or in cooperation with public or private agencies, organizations, or individuals, as follows:

Salaries and expenses.

General administrative expenses: For necessary expenses for general administrative purposes, including personal services in the District of Columbia, \$157,306.

General administrative expenses.

Marketing farm products: For acquiring and diffusing among the people of the United States useful information relative to the standardization, classification, grading, preparation for market, handling, and marketing of farm and food products, including the demonstra-

Marketing farm products.



*Proviso.*  
Sale of samples, etc.

Crop and livestock  
estimates.

Peanut statistics.  
49 Stat. 1898; 52  
Stat. 348.  
7 U. S. C., Supp.  
IV, §§ 951-957.

*Provisos.*  
Statement of farm-  
ers' intentions as to  
cotton acreage.

Limitation on apple  
production estimates.

Market inspection  
of farm products.

*Proviso.*  
Certificates as prima  
facie evidence of truth  
of statements.

Tobacco Inspection  
Act.

49 Stat. 731.  
7 U. S. C., Supp.  
IV, §§ 511-511q.

Tobacco stocks and  
standards.

45 Stat. 1079.  
7 U. S. C. §§ 501-  
508; Supp. IV, §§ 501-  
505.  
Market news serv-  
ice.

tion and promotion of the use of uniform standards of classification of American farm and food products throughout the world, \$431,470: *Provided*, That samples, illustrations, practical forms, or sets of the grades recommended or promulgated by the Secretary of Agriculture for farm or food products may be sold under such rules and regulations as he may prescribe, and the receipts therefrom deposited in the Treasury to the credit of miscellaneous receipts.

Crop and livestock estimates: For collecting, compiling, abstracting, analyzing, summarizing, interpreting, and publishing data relating to agriculture, including crop and livestock estimates, acreage, yield, grades, staples of cotton, stocks, and value of farm crops and numbers, grades, and value of livestock and livestock products on farms, in cooperation with the Extension Service and other Federal, State, and local agencies, and for the collection and publication of statistics of peanuts as provided by the Act approved June 24, 1936, as amended May 12, 1938 (7 U. S. C. 951-957), \$747,510: *Provided*, That no part of the funds herein appropriated shall be available for any expense incident to ascertaining, collating, or publishing a report stating the intention of farmers as to the acreage to be planted in cotton: *Provided further*, That estimates of apple production shall be confined to the commercial crop.

Market inspection of farm products: For enabling the Secretary of Agriculture, independently and in cooperation with other branches of the Government, State agencies, purchasing and consuming organizations, boards of trade, chambers of commerce, or other associations of businessmen or trade organizations, and persons or corporations engaged in the production, transportation, marketing, and distribution of farm and food products, whether operating in one or more jurisdictions, to investigate and certify to shippers and other interested parties the class, quality, and condition of cotton, tobacco, fruits, and vegetables, whether raw, dried, or canned, poultry, butter, hay, and other perishable farm products when offered for interstate shipment or when received at such important central markets as the Secretary of Agriculture may from time to time designate, or at points which may be conveniently reached therefrom, under such rules and regulations as he may prescribe, including payment of such fees as will be reasonable and as nearly as may be to cover the cost for the service rendered: *Provided*, That certificates issued by the authorized agents of the Department shall be received in all courts of the United States as prima facie evidence of the truth of the statements therein contained, \$459,000.

Tobacco Inspection Act: To enable the Secretary of Agriculture to carry into effect the provisions of an Act entitled "An Act to establish and promote the use of standards of classification for tobacco, to provide and maintain an official tobacco-inspection service, and for other purposes", approved August 23, 1935 (7 U. S. C. 511-511q), \$425,000.

Tobacco stocks and standards: To enable the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to provide for the collection and publication of statistics of tobacco by the Department of Agriculture", approved January 14, 1929 (7 U. S. C. 501-508), as amended, \$17,187.

Market news service: For collecting, publishing, and distributing, by telegraph, mail, or otherwise, timely information on the market supply and demand, commercial movement, location, disposition, quality, condition, and market prices of livestock, meats, fish, and animal products, dairy and poultry products, fruits and vegetables, peanuts and their products, grain, hay, feeds, cottonseed, and seeds,

and other agricultural products, independently and in cooperation with other branches of the Government, State agencies, purchasing and consuming organizations, and persons engaged in the production, transportation, marketing, and distribution of farm and food products, \$1,138,302.

**Perishable Agricultural Commodities and Produce Agency Acts:** To enable the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to suppress unfair and fraudulent practices in the marketing of perishable agricultural commodities in interstate and foreign commerce", as amended (7 U. S. C. 499a-499r), and the Act entitled "An Act to prevent the destruction or dumping, without good and sufficient cause therefor, of farm produce received in interstate commerce by commission merchants and others and to require them truly and correctly to account for all farm produce received by them", approved March 3, 1927 (7 U. S. C. 491-497), \$155,000.

**Standard Container Acts:** To enable the Secretary of Agriculture to carry into effect the Act entitled "An Act to fix standards for Climax baskets for grapes and other fruits and vegetables, and to fix standards for baskets and other containers for small fruits, berries, and vegetables, and for other purposes", approved August 31, 1916 (15 U. S. C. 251-256), the Act entitled "An Act to fix standards for hampers, round stave baskets, and splint baskets for fruits and vegetables, and for other purposes", approved May 21, 1928 (15 U. S. C. 257-257i), \$20,000.

**Cotton quality statistics and classing Acts:** To enable the Secretary of Agriculture to carry into effect the Act entitled "An Act authorizing the Secretary of Agriculture to collect and publish statistics of the grade and staple length of cotton", approved March 3, 1927, as amended by the Act entitled "An Act authorizing the Secretary of Agriculture to provide for the classification of cotton, to furnish information on market supply, demand, location, condition, and market prices for cotton, and for other purposes", approved April 13, 1937 (7 U. S. C. 471-476), \$475,000.

**United States Cotton Futures and United States Cotton Standards Acts:** To enable the Secretary of Agriculture to carry into effect the provisions of the United States Cotton Futures Act, as amended March 4, 1919 (26 U. S. C. 1090-1106), and to carry into effect the provisions of the United States Cotton Standards Act, approved March 4, 1923 (7 U. S. C. 51-65), including such means as may be necessary for effectuating agreements heretofore or hereafter made with cotton associations, cotton exchanges, and other cotton organizations in foreign countries, for the adoption, use, and observance of universal standards of cotton classification, for the arbitration or settlement of disputes with respect thereto, and for the preparation, distribution, inspection, and protection of the practical forms or copies thereof under such agreements, \$495,000.

**United States Grain Standards Act:** To enable the Secretary of Agriculture to carry into effect the provisions of the United States Grain Standards Act, \$723,941.

**United States Warehouse Act:** To enable the Secretary of Agriculture to carry into effect the provisions of the United States Warehouse Act, \$400,000.

**Federal Seed Act:** For testing commercial seeds, including the testing of samples of seeds of grasses, clover, or alfalfa, and lawn-grass seeds secured in the open market, and where such samples are found to be adulterated or misbranded the results of the tests shall be published, together with the names of the persons by whom the seeds were

Perishable Agricultural Commodities and Produce Agency Acts.

46 Stat. 531.  
7 U. S. C. §§ 499a-499r; Supp. IV, ch. 20A.

44 Stat. 1355.  
7 U. S. C. §§ 491-497.

Standard Container Acts.

39 Stat. 673; 45 Stat. 685.  
15 U. S. C. §§ 251-257i.

Cotton quality statistics and classing Acts.

44 Stat. 1372; 50 Stat. 62.  
7 U. S. C. §§ 471-476; Supp. IV, §§ 473a-473c.

Cotton Futures Act.  
39 Stat. 476; 40 Stat. 1351.  
26 U. S. C. §§ 1090-1106.

Cotton Standards Act.  
42 Stat. 1517.  
7 U. S. C. §§ 51-65.  
Agreements as to standards, etc., in foreign countries.

Grain Standards Act.  
39 Stat. 482.  
7 U. S. C. §§ 71-87.

Warehouse Act.  
39 Stat. 486.  
7 U. S. C. §§ 241-273.

Post, p. 1312.  
Federal Seed Act.  
Post, p. 1275.

37 Stat. 506.  
7 U. S. C. §§ 111-114.  
Preventing admission of adulterated grain and seed.  
44 Stat. 325.  
7 U. S. C. §§ 111, 115, 116.  
*Proviso.*  
International Seed Testing Congress.

offered for sale, and for carrying out the provisions of the Act approved August 24, 1912 (7 U. S. C. 111-114), entitled "An Act to regulate foreign commerce by prohibiting the admission into the United States of certain adulterated grain and seeds unfit for seeding purposes", as amended by the Act approved April 26, 1926 (7 U. S. C. 111, 115, 116), \$52,293: *Provided*, That not to exceed \$250 of this amount may be used for meeting the share of the United States in the expenses of the International Seed Testing Congress in carrying out plans for correlating the work of the various adhering governments on problems relating to seed analysis or other subjects which the Congress may determine to be necessary in the interest of international seed trade.

Packers and Stockyards Act.  
42 Stat. 159; 49 Stat. 648.  
7 U. S. C. §§ 181-229; Supp. IV, §§ 218-218d.  
*Provisos.*  
Bonds from agencies and dealers.  
Suspension for violation.

**Packers and Stockyards Act:** For carrying out the provisions of the Packers and Stockyards Act, approved August 15, 1921 (7 U. S. C. 181-229), as amended by the Act of August 14, 1935 (7 U. S. C. 218-218d), \$381,879: *Provided*, That the Secretary of Agriculture may require reasonable bonds from every market agency and dealer, under such rules and regulations as he may prescribe, to secure the performance of their obligations, and whenever, after due notice and hearing, the Secretary finds any registrant is insolvent or has violated any provisions of said Act he may issue an order suspending such registrant for a reasonable specified period. Such order of suspension shall take effect within not less than five days, unless suspended or modified or set aside by the Secretary of Agriculture or a court of competent jurisdiction: *Provided further*, That the Secretary of Agriculture may, whenever necessary, authorize the charging and collection from owners of a reasonable fee for the inspection of brands appearing upon livestock subject to the provisions of the said Act for the purpose of determining the ownership of such livestock: *Provided further*, That such fee shall not be imposed except upon written request made to the Secretary of Agriculture by the Board of Livestock Commissioners, or duly organized livestock association of the States from which such livestock have originated or been shipped to market.

Inspection fee.

Not imposed unless requested.

Personal services.  
Vehicles.

Total, salaries and expenses, Agricultural Marketing Service, \$6,078,888, of which amount not to exceed \$1,564,733 may be expended for personal services in the District of Columbia, and not to exceed \$40,100 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

## BUREAU OF HOME ECONOMICS

### SALARIES AND EXPENSES

General administrative expenses.

**General administrative expenses:** For necessary expenses for general administrative purposes, including the salary of Chief of Bureau and other personal services in the District of Columbia, \$31,735.

Home economics investigations.

**Home economics investigations:** For conducting either independently or in cooperation with other agencies, investigations of the relative utility and economy of agricultural products for food, clothing, and other uses in the home, with special suggestions of plans and methods for the more effective utilization of such products for these purposes, and for disseminating useful information on this subject, including the employment of persons and means in the District of Columbia and elsewhere, \$293,350.

Personal services.

Total, salaries and expenses, Bureau of Home Economics, \$325,085, of which amount not to exceed \$273,350 may be expended for personal services in the District of Columbia.

## ENFORCEMENT OF THE COMMODITY EXCHANGE ACT

To enable the Secretary of Agriculture to carry into effect the provisions of the Commodity Exchange Act, as amended (7 U. S. C. 1-17a), \$623,380, of which amount not to exceed \$240,940 may be expended for personal services in the District of Columbia.

Enforcement ex-  
penses.  
42 Stat. 998; 49 Stat.  
1491.  
7 U. S. C. §§ 1-17;  
Supp. IV, §§ 1-17a.

## FOOD AND DRUG ADMINISTRATION

## SALARIES AND EXPENSES

For all necessary expenses, for chemical apparatus, chemicals, and supplies, repairs to apparatus, gas, electric current, official traveling expenses, telegraph and telephone service, express and freight charges, for the employment of such assistants, clerks, and other persons as the Secretary of Agriculture may consider necessary for the purposes named, in the city of Washington and elsewhere, in conducting investigations; collecting, reporting, and illustrating the results of such investigations; and for rent outside the District of Columbia for carrying out the investigations and work herein authorized, as follows:

Salaries and ex-  
penses.

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of chief of administration and other personal services in the District of Columbia, \$100,802.

Rent outside D. C.

General administra-  
tive expenses.

Enforcement of the Federal Food, Drug, and Cosmetic Act: For enabling the Secretary of Agriculture to carry into effect the provisions of the Act of June 25, 1938 (21 U. S. C. 301-392), entitled "An Act to prohibit the movement in interstate commerce of adulterated and misbranded food, drugs, devices, and cosmetics, and for other purposes"; to cooperate with associations and scientific societies in the revision of the United States Pharmacopoeia and development of methods of analysis, and for investigating the character of the chemical and physical tests which are applied to American food products in foreign countries, and for inspecting the same before shipment when desired by the shippers or owners of these products intended for countries where chemical and physical tests are required before the said products are allowed to be sold therein, \$2,288,380: *Provided*, That not more than \$4,280 shall be used for travel outside the United States.

Food, Drug, and  
Cosmetic Act, en-  
forcement.  
62 Stat. 1040.  
21 U. S. C., Supp.  
IV, §§ 301-392.

Revision of Phar-  
macopoeia.

Enforcement of the Tea Importation Act: For enabling the Secretary of Agriculture to carry into effect the provisions of the Act approved March 2, 1897 (21 U. S. C. 41-50), entitled "An Act to prevent the importation of impure and unwholesome tea", as amended, including payment of compensation and expenses of the members of the Board appointed under section 2 of the Act and all other necessary officers and employees, \$30,094.

*Proviso.*  
Travel outside  
United States.  
Tea Importation  
Act, enforcement.  
29 Stat. 604.  
21 U. S. C. §§ 41-50.

Naval Stores Act: For enabling the Secretary of Agriculture to carry into effect the provisions of the Naval Stores Act of March 3, 1923 (7 U. S. C. 91-99), \$34,700.

Naval Stores Act.  
42 Stat. 1435.  
7 U. S. C. §§ 91-99.

Enforcement of the Insecticide Act: For enabling the Secretary of Agriculture to carry into effect the provisions of the Act of April 26, 1910 (7 U. S. C. 121-134), entitled "An Act for preventing the manufacture, sale, or transportation of adulterated or misbranded paris greens, lead arsenates, other insecticides, and also fungicides, and for regulating traffic therein, and for other purposes", \$193,180.

Insecticide Act, en-  
forcement.  
36 Stat. 331.  
7 U. S. C. §§ 121-  
134.

Enforcement of the Milk Importation Act: For enabling the Secretary of Agriculture to carry into effect the provisions of an Act approved February 15, 1927 (21 U. S. C. 141-149), entitled "An Act to regulate the importation of milk and cream into the United States for the purpose of promoting the dairy industry of the United States and protecting the public health", \$19,241.

Milk Importation  
Act, enforcement.

44 Stat. 1101.  
21 U. S. C. §§ 141-  
149.

Caustic Poison Act,  
enforcement.

44 Stat. 1406.  
15 U. S. C. §§ 401-  
411.

Filled Milk Act,  
enforcement.

42 Stat. 1486; 49  
Stat. 885.  
21 U. S. C. §§ 61-63;  
Supp. IV, § 64.

Sea Food Inspectors  
Act, enforcement.

34 Stat. 768.  
21 U. S. C. §§ 1-5,  
7-15.  
49 Stat. 871.  
21 U. S. C., Supp.  
IV, § 14a.

Personal services.

Vehicles.

Enforcement of the Caustic Poison Act: For enabling the Secretary of Agriculture to carry into effect the provisions of an Act approved March 4, 1927 (15 U. S. C. 401-411), entitled "An Act to safeguard the distribution and sale of certain dangerous caustic or corrosive acids, alkalies, and other substances in interstate and foreign commerce", \$24,741.

Enforcement of the Filled Milk Act: For enabling the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to prohibit the shipment of filled milk in interstate or foreign commerce", approved March 4, 1923 (21 U. S. C. 61-63), as amended by the Act of August 27, 1935 (21 U. S. C. 64), \$10,000.

Enforcement of the Sea Food Inspectors Act: For personal services of sea food inspectors designated to examine and inspect sea food and the production, packing, and labeling thereof upon the application of any packer of any sea food for shipment or sale within the jurisdiction of the Federal Food and Drugs Act, in accordance with the provisions of an Act entitled "An Act to amend section 10A of the Federal Food and Drugs Act of June 30, 1906, as amended", approved August 27, 1935 (21 U. S. C. 14a), \$40,000.

Total salaries and expenses, Food and Drug Administration, \$2,741,138, of which amount not to exceed \$826,158 may be expended for personal services in the District of Columbia, and not to exceed \$27,375 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

## SOIL CONSERVATION SERVICE

### SALARIES AND EXPENSES

Salaries and ex-  
penses.

49 Stat. 163.  
16 U. S. C., Supp.  
IV, §§ 590a-590f.

Provisos.  
Cost of buildings.

Construction on  
land not owned by  
Government.

Warehouse main-  
tenance, etc.

To carry out the provisions of an Act entitled "An Act to provide for the protection of land resources against soil erosion and for other purposes", approved April 27, 1935 (16 U. S. C. 590a-590f), which provides for a national program of erosion control and soil and moisture conservation to be carried out directly and in cooperation with other agencies; including the employment of persons and means in the District of Columbia and elsewhere, purchase of books and periodicals, maintenance, repair, and operation of one passenger-carrying automobile in the District of Columbia, furnishing of subsistence to employees, training of employees, and the purchase and erection of permanent buildings: *Provided*, That the cost of any building purchased, erected, or as improved, exclusive of the cost of constructing a water supply or sanitary system and connecting the same with any such building, shall not exceed \$2,500 except where buildings are acquired in conjunction with land being purchased for other purposes and except for ten buildings to be constructed at a cost not to exceed \$15,000 per building: *Provided further*, That no money appropriated in this Act shall be available for the construction of any such building on land not owned by the Government: *Provided further*, That during the fiscal year for which appropriations are herein made the appropriations for the work of the Soil Conservation Service shall be available for meeting the expenses of warehouse maintenance and the procurement, care, and handling of supplies, materials, and equipment stored therein for distribution to projects under the supervision of the Soil Conservation Service and for sale and distribution to other Government activities, the cost of such supplies and materials or the value of such equipment (including the cost of transportation and handling), to be reimbursed to appropriations current at the time additional supplies, materials, or equipment are procured from the appropriations chargeable with the cost or value

of such supplies, materials, or equipment: *Provided further*, That reproductions of such aerial or other photographs, mosaics, and maps as shall be required in connection with the authorized work of the Soil Conservation Service may be furnished at the cost of reproduction to Federal, State, county, or municipal agencies requesting such reproductions, the money received from such sales to be deposited in the Treasury to the credit of this appropriation; as follows:

General administrative expenses: For necessary expenses for general administrative purposes, including the salary of the Chief of the Soil Conservation Service and other personal services in the District of Columbia, \$552,050: *Provided*, That no part of the money appropriated in this paragraph shall be available for expenditure if any emergency appropriations are made available for administrative expenses in administering the funds provided in regular appropriations to the Soil Conservation Service.

Soil and moisture conservation and land-use investigations: For research and investigations into the character, cause, extent, history, and effects of erosion, soil and moisture depletion and methods of soil and moisture conservation (including the construction and hydrologic phases of farm irrigation and land drainage); and for construction, operation, and maintenance of experimental watersheds, stations, laboratories, plots, and installations, \$1,631,185.

Soil and moisture conservation and land use operations, demonstrations, and information: For carrying out preventive measures to conserve soil and moisture, including such special measures as may be necessary to prevent floods and the siltation of reservoirs, and including the improvement of farm irrigation and land drainage, the establishment and operation of erosion nurseries, the making of conservation plans and surveys, and the dissemination of information, \$21,462,349.

Emergency erosion control, Everglades region, Florida: For research and demonstration work in soil conservation control measures, including research and demonstration work in fire control and irrigation construction work to eliminate fire hazards, in the Everglades region of Florida, \$75,000: *Provided*, That no expenditures shall be made for these purposes until a sum at least equal to such expenditures shall have been made available by the State of Florida for the same purposes.

Total salaries and expenses, Soil Conservation Service, \$23,720,584, of which not to exceed \$1,734,636 may be expended for personal services in the District of Columbia, and not to exceed \$100,000 shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of field work outside the District of Columbia.

## CONSERVATION AND USE OF AGRICULTURAL LAND RESOURCES, DEPARTMENT OF AGRICULTURE

To enable the Secretary of Agriculture to carry into effect the provisions of sections 7 to 17, inclusive, of the Soil Conservation and Domestic Allotment Act, approved February 29, 1936 (16 U. S. C. 590g-590q), and the provisions of the Agricultural Adjustment Act of 1938 (52 Stat. 31-70) (except the making of payments pursuant to sections 303 and 381 and the provisions of titles IV and V), including the employment of persons and means in the District of Columbia and elsewhere; rent in the District of Columbia; not to exceed \$50,000 for the preparation and display of exhibits, including such displays at State, interstate, and international fairs within the United States; purchase of law books, books of refer-

Reproduction of  
photographs, etc.

General administrative  
expenses.

*Proviso.*  
Restriction.

Soil and moisture  
conservation and land-  
use investigations.

Operations, demon-  
strations, etc.

Emergency erosion  
control, Everglades  
region, Fla.

*Proviso.*  
State contribution.

Personal services.

Vehicles.

Administrative ex-  
penses.

49 Stat. 1148.  
16 U. S. C., Supp.  
IV, §§ 590g-590q.  
52 Stat. 31.  
7 U. S. C., Supp. IV,  
ch. 35.

Exhibits at fairs.

Law books, etc.

Amount reappropriated.

Availability.

*Provisos.*  
Use restricted.

52 Stat. 37.  
7 U. S. C., Supp. IV,  
§ 1292.

Limitation.

Availability for 1940 programs.

49 Stat. 1148, 1149;  
52 Stat. 31.  
16 U. S. C., Supp.  
IV, § 590g, 590h; 7 U.  
S. C., Supp. IV, ch. 35.  
Transfer of funds.

Purchase of seeds,  
etc.; grants to pro-  
ducers.

Tennessee Valley  
Authority, etc., reim-  
bursement.

Funds for adminis-  
trative expenses.  
49 Stat. 774.  
7 U. S. C., Supp.  
IV, § 612c.

52 Stat. 69.  
7 U. S. C., Supp.  
IV, § 1392.

ence, periodicals, and newspapers, \$429,560,000, together with not to exceed \$70,000,000 of the unobligated balance of the appropriation made under this head by the Department of Agriculture Appropriation Act for the fiscal year 1938, in all, not to exceed \$499,560,000, to remain available until June 30, 1941, for compliances under said Act of February 29, 1936, as amended, pursuant to the provisions of the 1939 programs carried out during the period October 1, 1938, to December 31, 1939, inclusive: *Provided*, That no part of such amount shall be available for carrying out the provisions of section 202 (f) of the Agricultural Adjustment Act of 1938, and not to exceed \$3,200,000 shall be available under the provisions of section 202 (a) to 202 (e), inclusive, of said Act, including research on food products of farm commodities: *Provided further*, That no part of such amount shall be available after June 30, 1940, for salaries and other administrative expenses except for payment of obligations therefor incurred prior to July 1, 1940: *Provided further*, That such amount shall be available for salaries and other administrative expenses in connection with the formulation and administration of the 1940 programs or plans now or hereafter authorized under section 7 or 8, or both, of said Act of February 29, 1936, or under said provisions of the Agricultural Adjustment Act of 1938: *Provided further*, That the Secretary of Agriculture may, in his discretion, from time to time transfer to the General Accounting Office such sums as may be necessary to pay administrative expenses of the General Accounting Office in auditing payments under this item: *Provided further*, That such amount shall be available for the purchase of seeds, fertilizers, lime, trees, or any other farming materials and making grants thereof to agricultural producers to aid them in carrying out farming practices approved by the Secretary of Agriculture in the 1939 and 1940 programs under said Act of February 29, 1936, as amended; for the reimbursement of the Tennessee Valley Authority or any other Government agency for fertilizers, seeds, lime, trees, or other farming materials furnished by such agency; and for the payment of all expenses necessary in making such grants including all or part of the costs incident to the delivery thereof: *And provided further*, That the funds provided by section 32 of the Act entitled "An Act to amend the Agricultural Adjustment Act and for other purposes", approved August 24, 1935 (7 U. S. C. 612c), shall be available during the fiscal year 1940 for administrative expenses, in accordance with the provisions of section 392 of the Agricultural Adjustment Act of 1938, in carrying out the provisions of said section 32, including the employment of persons and means in the District of Columbia and elsewhere, in accordance with the provisions of law applicable to the employment of persons and means by the Agricultural Adjustment Administration.

#### PARITY PAYMENTS

Parity payments.

52 Stat. 45.  
7 U. S. C., Supp. IV,  
§ 1303.  
*Provisos.*  
Rate of payment.

Condition.

To enable the Secretary of Agriculture to make parity payments to producers of wheat, cotton, corn (in the commercial corn-producing area), rice, and tobacco pursuant to the provisions of section 303 of the Agricultural Adjustment Act of 1938, \$225,000,000: *Provided, however*, That in expending the appropriation in this paragraph the rate of payment with respect to any commodity shall not exceed the amount by which the average farm price of the commodity is less than 75 per centum of the parity price: *Provided further*, That such payments with respect to any such commodity shall be made with respect to a farm only in the event that the acreage planted to the commodity for harvest on the farm in 1940 is not in excess of the

farm acreage allotment established for the commodity under the agricultural conservation program.

#### DISPOSAL OF SURPLUS COMMODITIES

To enable the Secretary of Agriculture to further carry out the provisions of section 32, as amended, of the Act entitled "An Act to amend the Agricultural Adjustment Act, and for other purposes", approved August 24, 1935, and subject to all provisions of law relating to the expenditure of funds appropriated by such section, \$113,000,000. Such sum shall be immediately available and shall be in addition to, and not in substitution for, other appropriations made by such section or for the purpose of such section: *Provided*, That not in excess of 25 per centum of the funds herein made available may be devoted to any one agricultural commodity: *Provided further*, That of that part of the funds appropriated in this paragraph which may be allocated for expenditure in connection with cotton not less than 50 per centum shall be allocated for use in carrying out clause (3) of such section, or in carrying out clause (2) of such section, which clause (2) is hereby amended by inserting before the semicolon after "commerce" the following: "or by increasing their utilization through benefits, indemnities, donations or by other means, among persons in low income groups as determined by the Secretary of Agriculture."

Funds for administrative expenses.  
49 Stat. 774.  
7 U. S. C., Supp. IV, § 612e.

Availability, etc.

*Provisos.*  
Restriction.

Cotton allocations.

#### THE SUGAR ACT OF 1937

To enable the Secretary of Agriculture to carry into effect the provisions, other than those specifically relating to the Philippine Islands, of the Sugar Act of 1937, approved September 1, 1937 (7 U. S. C. 1100-1183), and the employment of persons and means, in the District of Columbia and elsewhere, as authorized by said Act, \$31,975,000 together with \$16,000,000 of the unobligated balance of the appropriation provided under this head by the joint resolution approved February 4, 1938 (52 Stat. 27); in all, not to exceed \$47,975,000.

Administrative expenses.

50 Stat. 903.  
7 U. S. C., Supp. IV, §§ 1100-1183.

Amount reappropriated.

52 Stat. 27.

#### INTERNATIONAL PRODUCTION CONTROL COMMITTEES

During the fiscal year 1940 the Secretary of Agriculture may expend not to exceed \$17,500 from the funds available to the Agricultural Adjustment Administration for the share of the United States as a member of the International Wheat Advisory Committee, the International Sugar Council, or like events or bodies concerned with the reduction of agricultural surpluses or with other objectives of the Agricultural Adjustment Administration, together with traveling and other necessary expenses relating thereto.

Share of expenses.

#### FEDERAL CROP INSURANCE ACT

Administrative and operating expenses: For operating and administrative expenses under the Federal Crop Insurance Act (52 Stat. 72-77), approved February 16, 1938, \$5,423,200, together with a reappropriation of not to exceed \$500,000 of the unexpended balance of the funds available for this purpose for the fiscal year 1939, to be allotted by the Secretary of Agriculture (a) to the Federal Crop Insurance Corporation, as authorized by section 516 (a) of such Act, and (b) to bureaus and offices of the Department of Agriculture or for transfer to other agencies of State and Federal Governments, as authorized by section 507 (d) of such Act; and such part as the Secretary allots under clause (b) hereof shall be available for the employment of

Operating and administrative expenses.

52 Stat. 72.

52 Stat. 77.  
7 U. S. C., Supp. IV, § 1516.

52 Stat. 74.  
7 U. S. C., Supp. IV, § 1507 (d).



persons and means in the District of Columbia and elsewhere, rent in the District of Columbia, purchase of law books, books of reference, periodicals, and newspapers.

## FARM TENANT ACT

### FARM TENANCY

Loans for acquisition of farms.  
50 Stat. 522.  
7 U. S. C., Supp. IV,  
§§ 1000-1006.

To enable the Secretary of Agriculture to carry out the provisions of title I of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937 (7 U. S. C. 1000-1006), including the employment of persons and means in the District of Columbia, and elsewhere, exclusive of printing and binding, as authorized by said Act, \$40,000,000 reimbursable, together with the unexpended balance of the appropriation made under said Act for the fiscal year 1939.

### LIQUIDATION AND MANAGEMENT OF RESETTLEMENT PROJECTS

Resettlement projects, liquidation, etc.  
50 Stat. 530.  
7 U. S. C., Supp. IV,  
§ 1017.

To enable the Secretary of Agriculture to carry out the provisions of section 43 of title IV of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937 (7 U. S. C. 1014-1029), including the employment of persons and means, in the District of Columbia and elsewhere, exclusive of printing and binding, as authorized by said Act, \$1,987,400.

### LAND UTILIZATION AND RETIREMENT OF SUBMARGINAL LAND

Land utilization and retirement of submarginal land.  
50 Stat. 525.  
7 U. S. C., Supp. IV,  
§§ 1010-1013.

To enable the Secretary of Agriculture to carry out the provisions of title III of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937 (7 U. S. C. 1010-1013), including the employment of persons and means in the District of Columbia and elsewhere, exclusive of printing and binding, as authorized by said Act, \$4,978,330, together with the unexpended balances of the appropriations made pursuant to said Act for the fiscal year 1939.

Total, Farm Tenant Act, \$46,965,730.

## WATER FACILITIES, ARID AND SEMI-ARID AREAS

Development, etc., of.

50 Stat. 869.  
16 U. S. C., Supp. IV, §§ 590r-590x.

Printing and binding.  
Vehicles.

Personal services.

*Proviso.*  
Restriction.

To enable the Secretary of Agriculture to carry into effect the provisions of the Act entitled "An Act to promote conservation in the arid and semi-arid areas of the United States by aiding in the development of facilities for water storage and utilization, and for other purposes", approved August 28, 1937 (16 U. S. C. 590r-590x), including the employment of persons and means in the District of Columbia and elsewhere; printing and binding; the purchase, exchange, operation, and maintenance of passenger-carrying vehicles; and rent in the District of Columbia and elsewhere, \$500,000, of which not to exceed \$25,000 may be expended for personal services in the District of Columbia: *Provided*, That not to exceed \$50,000 of this appropriation shall be available for expenditure for any one project designed in whole or in part to benefit lands by the irrigation thereof and all project facilities and appurtenances which depend for their utility in whole or in part upon each other or upon any common facility shall be deemed one project, and the authority contained in said Act shall not be deemed to authorize the construction of any project not in accord with this limitation.

## BELTSVILLE RESEARCH CENTER

General expenses.

Additional funds.

For general administrative purposes, including maintenance, operation, repairs, and other expenses, \$85,000; and, in addition thereto,

this appropriation may be augmented, by transfer of funds or by reimbursement, from applicable appropriations, to cover the cost, including handling and other related charges, of services and supplies, equipment and materials furnished, stores of which may be maintained at the Center, and to cover the cost of building construction, alteration, and repair performed by the Center in carrying out the purposes of such applicable appropriations and the applicable appropriations may also be charged their proportionate share of the necessary general expenses of the Center not covered by this appropriation.

### COOPERATIVE FARM FORESTRY

To enable the Secretary of Agriculture to carry into effect the provisions of the Cooperative Farm Forestry Act, approved May 18, 1937 (16 U. S. C. 568b), including the employment of persons and means in the District of Columbia and elsewhere; printing and binding; not to exceed \$7,700 for the purchase of passenger-carrying vehicles; the purchase of reference books and technical journals; not to exceed \$30,000 for the construction or purchase of necessary buildings, and other improvements, \$300,000: *Provided*, That no part of this appropriation shall be expended in any State or Territory unless the State or Territory, or local subdivision thereof, or individuals, or associations contribute a sum equal to that to be allotted by the Government or make contributions other than money deemed by the Secretary of Agriculture to be the value equivalent thereof: *Provided further*, That no part of this appropriation shall be used to establish new nurseries or to acquire land for the establishment of such new nurseries.

Development, etc.,  
of.

50 Stat. 188.  
16 U. S. C., Supp.  
IV, § 568b.  
Printing and binding.  
Vehicles.

*Prorisos.*  
State, etc., contribution.

Use for establishing  
new nurseries, etc.,  
forbidden.

### FOREST ROADS AND TRAILS

For carrying out the provisions of section 23 of the Federal Highway Act approved November 9, 1921 (23 U. S. C. 23), including not to exceed \$59,500 for departmental personal services in the District of Columbia, \$10,000,000, which sum consists of the balance of the amount authorized to be appropriated for the fiscal year 1939 by the Act approved June 16, 1936 (49 Stat. 1520), and \$3,000,000 of the amount authorized to be appropriated for the fiscal year 1940 by the Act approved June 8, 1938 (52 Stat. 635), to be immediately available and to remain available until expended: *Provided*, That this appropriation shall be available for the rental, purchase, or construction of buildings necessary for the storage of equipment and supplies used for road and trail construction and maintenance, but the total cost of any such building purchased or constructed under this authorization shall not exceed \$7,500.

Development, etc.,  
of.  
42 Stat. 218; 49 Stat.  
1520.  
23 U. S. C. § 23;  
Supp. IV, § 23a.

52 Stat. 635.  
Availability.  
*Proviso.*  
Authorized expenditures.

Limitation.

### INTERCHANGE OF APPROPRIATIONS

Not to exceed 5 per centum of the foregoing amounts for the miscellaneous expenses of the work of any bureau, division, or office herein provided for shall be available interchangeably for expenditures on the objects included within the general expenses of such bureau, division, or office, but no more than 5 per centum shall be added to any one item of appropriation except in cases of extraordinary emergency.

Interchange of appropriations.

Limitation.

### WORK FOR OTHER DEPARTMENTS

During the fiscal year for which appropriations are herein made the head of any department or independent establishment of the Government requiring inspections, analyses, and tests of food and

Work for other departments, etc.

other products, within the scope of the functions of the Department of Agriculture and which that Department is unable to perform within the limits of its appropriations, may, with the approval of the Secretary of Agriculture transfer to the Department of Agriculture for direct expenditure such sums as may be necessary for the performance of such work.

### PASSENGER-CARRYING VEHICLES

A availability of funds for purchase, etc.

*Provisos.*  
Limitation on use.

Interchangeability.

Maintenance, etc.

Exchanges.

Vehicles for use in D. C.

Short title.

Farm Credit Administration Appropriation Act of 1940.

Within the limitations specified under the several headings the lump-sum appropriations herein made for the Department of Agriculture shall be available for the purchase of motor-propelled and horse-drawn passenger-carrying vehicles necessary in the conduct of the field work of the Department of Agriculture outside the District of Columbia: *Provided*, That such vehicles shall be used only for official service outside the District of Columbia, but this shall not prevent the continued use for official service of motortrucks in the District of Columbia: *Provided further*, That the limitation on expenditures for purchase of passenger-carrying vehicles in the field service shall be interchangeable between the various bureaus and offices of the Department, to such extent as the exigencies of the service may require: *Provided further*, That appropriations contained in this Act shall be available for the maintenance, operation, and repair of motor-propelled and horse-drawn passenger-carrying vehicles: *Provided further*, That the Secretary of Agriculture may exchange motor-propelled and horse-drawn vehicles, tractors, road equipment, and boats, and parts, accessories, tires, or equipment thereof, in whole or in part payment for vehicles, tractors, road equipment, or boats, or parts, accessories, tires, or equipment of such vehicles, tractors, road equipment, or boats purchased by him: *Provided further*, That the funds available to the Agricultural Adjustment Administration may be used during the fiscal year for which appropriations are herein made for the maintenance, repair, and operation of one passenger-carrying vehicle for official purposes in the District of Columbia.

This title may be cited as the "Department of Agriculture Appropriation Act, 1940".

## TITLE II—FARM CREDIT ADMINISTRATION

### SALARIES AND EXPENSES

Salaries and expenses.

Printing and binding.  
Contingent expenses.

Supplies and services.  
R. S. § 3709.  
41 U. S. C. § 5.  
Vehicles.

For salaries and expenses of the Farm Credit Administration in the District of Columbia and the field; traveling expenses of officers and employees including not to exceed \$5,000 for travel incurred under proper authority attending meetings or conventions of members of organizations at which matters of importance to the work of the Farm Credit Administration are to be discussed or transacted; printing and binding; contingent and miscellaneous expenses, including law books, books of reference, and not to exceed \$1,000 for periodicals, newspapers, and maps; contract stenographic reporting services, and expert services for the preparation of amortization tables; library membership fees or dues in organizations which issue publications to members only or to members at a lower price than to others, payment for which may be made in advance; purchase of manuscripts, data, and special reports by personal service without regard to the provisions of any other Act; procurement of supplies and services without regard to section 3709 of the Revised Statutes (41 U. S. C. 5) when the aggregate amount involved does not exceed \$50; purchase (including one at not to exceed \$1,500), exchange, maintenance, repair,

and operation of motor-propelled passenger-carrying vehicles and motortrucks to be used only for official purposes; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; garage rental in the District of Columbia and elsewhere; payment of actual transportation expenses and not to exceed \$10 per diem in lieu of subsistence and other expenses of persons serving, while away from their homes, without other compensation from the United States, in an advisory capacity to the Farm Credit Administration; employment of persons, firms, and others for the performance of special services, including legal services, and other miscellaneous expenses; necessary administrative expenses in connection with the making of loans under the provisions of the Act of January 29, 1937 (50 Stat. 5), and the collection of moneys due the United States on account of loans made under the provisions of the Acts of March 3, 1921 (41 Stat. 1347), March 20, 1922 (42 Stat. 467), April 26, 1924 (43 Stat. 110), February 28, 1927 (44 Stat. 1251), February 25, 1929 (45 Stat. 1306), as amended May 17, 1929 (46 Stat. 3), March 3, 1930 (46 Stat. 78, 79), December 20, 1930 (46 Stat. 1032), February 14, 1931 (46 Stat. 1160), and February 23, 1931 (46 Stat. 1276); January 22, 1932 (47 Stat. 5), February 4, 1933 (47 Stat. 795), March 4, 1933 (47 Stat. 1547), February 23, 1934 (48 Stat. 354), March 10, 1934 (48 Stat. 402), June 19, 1934 (48 Stat. 1021), February 20, 1935 (49 Stat. 28), March 21, 1935 (49 Stat. 49), April 8, 1935 (49 Stat. 115), January 29, 1937 (50 Stat. 5), February 9, 1937 (50 Stat. 8, 11), February 4, 1938 (52 Stat. 26), and Executive Order Numbered 7305, dated February 28, 1936; examination of corporations, banks, associations, credit unions, and institutions operated, supervised, or regulated by the Farm Credit Administration: *Provided*, That the expenses and salaries of employees engaged in such examinations shall be assessed against the said corporations, banks, or institutions in accordance with the provisions of existing laws; in all, \$3,650,000, together with not to exceed \$3,950,000 from the funds made available to the Farm Credit Administration under the Acts of January 29, 1937 (50 Stat. 5), February 9, 1937 (50 Stat. 8, 11), and February 4, 1938 (52 Stat. 26).

Farmers' crop production and harvesting loans: For loans to farmers under the Act of January 29, 1937 (50 Stat. 5), as amended by the Act of February 4, 1938 (52 Stat. 26), \$15,000,000, together with the unobligated balance (exclusive of the amount of such balance made available for "Salaries and expenses, Farm Credit Administration, 1940") of the appropriation "Crop production and harvesting loans" as made in the First Deficiency Appropriation Act, fiscal year 1937 (50 Stat. 8, 11), and as continued available by the Act of February 4, 1938 (52 Stat. 26), and together with all collections of principal and interest on loans heretofore or hereafter made under said Act of January 29, 1937 (50 Stat. 5): *Provided*, That no employee of the United States on whose certificate or approval loans under said Act of January 29, 1937, as amended, or other acts of the same general character, are or have been made, shall be held personally liable for any loss or deficiency occasioned by the fraud or misrepresentation of applicants or borrowers, if the Governor of the Farm Credit Administration shall determine that such employee has exercised reasonable care in the circumstances, and has complied with the regulations of the Farm Credit Administration in executing such certificate or giving such approval. Notwithstanding any such determination by the Governor of the Farm Credit Administration, this provision shall not be construed to prevent any criminal process against any person who was a party to or had guilty knowledge of such fraud or misrepresentation.

Transportation, per diem, etc.

Collection of loans under designated Acts.

Examinations, etc.

*Proviso.*  
Assessment for expenses.

Additional funds.

Farmers' crop production and harvesting loans.

Funds available.

*Proviso.*  
Liability of employees for fraud of applicants, etc.

## FEDERAL FARM MORTGAGE CORPORATION

Administrative ex-  
penses.  
48 Stat. 344.  
12 U. S. C. § 1020.

Travel expenses.

44 Stat. 688.  
5 U. S. C. §§ 821-833.  
Printing and bind-  
ing.

Vehicles.

Labor-saving  
devices.

Special services.

48 Stat. 344.  
*Provisions.*  
Certain expenses  
deemed nonadminis-  
trative.

Payment, etc., of  
obligations.

48 Stat. 344.  
12 U. S. C. §§ 1016-  
1020 (h).

Short title.

Not to exceed \$9,500,000 of the funds of the Federal Farm Mortgage Corporation, established by the Act of January 31, 1934 (48 Stat. 344), shall be available during the fiscal year 1940 for administrative expenses of the Corporation, including personal services in the District of Columbia and elsewhere; travel expenses of officers and employees of the Corporation, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (5 U. S. C. 821-833); printing and binding; law books, books of reference, and not to exceed \$250 for periodicals and newspapers; contract stenographic reporting services; procurement of supplies, equipment, and services; purchase (at not to exceed \$750 each), exchange, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, to be used only for official purposes; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; rent in the District of Columbia and elsewhere; payment of actual transportation expenses and not to exceed \$10 per diem in lieu of subsistence and other expenses of persons serving, while away from their homes, without other compensation from the United States, in an advisory capacity to the Corporation; employment on a contract or fee basis of persons, firms, and corporations for the performance of special services, including legal services; use of the services and facilities of Federal land banks, national farm loan associations, Federal Reserve banks, and agencies of the Government as authorized by said Act of January 31, 1934; and all other necessary administrative expenses: *Provided*, That all necessary expenses (including services performed on a force account, contract or fee basis, but not including other personal services) in connection with the operation, maintenance, improvement, or disposition of real or personal property of the Corporation shall be considered as nonadministrative expenses for the purposes hereof: *Provided further*, That except for the limitations in amounts hereinbefore specified, and the restrictions in respect to travel expenses, the administrative expenses and other obligations of the Corporation shall be incurred, allowed, and paid, in accordance with the provisions of said Act of January 31, 1934, as amended (12 U. S. C. 1016-1020 (h)).

This title may be cited as the "Farm Credit Administration Appropriation Act of 1940".

Approved, June 30, 1939.

## [CHAPTER 254]

## AN ACT

June 30, 1939  
[H. R. 6970]  
[Public, No. 160]

Making appropriations to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1939, to provide appropriations required immediately for the fiscal year ending June 30, 1940, and for other purposes.

Urgent Deficiency  
and Supplemental Ap-  
propriation Act, fiscal  
years 1939 and 1940.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply urgent deficiencies in certain appropriations for the fiscal year ending June 30, 1939, to provide appropriations required immediately for the fiscal year ending June 30, 1940, and for other purposes, namely:

## LEGISLATIVE

## SENATE

Pages.

For twenty-one pages for the Senate Chamber at the rate of \$4 each per day during the month of July 1939, \$2,604.

## HOUSE OF REPRESENTATIVES

To pay the widow of Bert Lord, late a Representative from the State of New York, \$10,000.

Bert Lord.  
Payment to widow.

To pay the widow of Clarence W. Turner, late a Representative from the State of Tennessee, \$10,000.

Clarence W. Turner.  
Payment to widow.

The two foregoing sums to be disbursed by the Sergeant at Arms of the House of Representatives.

Office of Doorkeeper: For forty-seven pages, including ten pages for duty at the entrances to the Hall of the House, at \$4 each per day during the month of July 1939, \$5,828.

Pages.

For the services of an additional messenger to the press room of the House Press Gallery as provided by H. Res. 172, Seventy-sixth Congress, fiscal year 1940, \$1,440.

House Press Gallery, additional messenger.

For the services of a superintendent for the radio room of the House Radio Press Gallery as provided by H. Res. 199, Seventy-sixth Congress, fiscal year 1940, \$2,700.

Radio Press Gallery, superintendent for radio room.

Contingent expenses: For stenographic reports of hearings of committees other than special and select committees, fiscal year 1939, \$6,000.

Reports of committee hearings.

For telegraph and telephone service, exclusive of personal services, fiscal year 1939, \$25,000.

Telegraph and telephone service.

The unexpended balance of the appropriation "Contingent Expenses, House of Representatives, Expenses of Special and Select Committees, 1938", is hereby reappropriated and made available during the fiscal years 1939 and 1940 for expenses of special and select committees.

Special and select committees.  
Balance of appropriation, 1938, available during 1939 and 1940.  
50 Stat. 177.

## CAPITOL BUILDING

For carrying into effect the provisions of Public Resolution Numbered 11, Seventy-sixth Congress, approved April 20, 1939, entitled "Joint resolution to authorize the painting of the signing of the Constitution for placement in the Capitol Building", fiscal year 1940, \$30,000, to remain available until June 30, 1941, to be disbursed by the Clerk of the House of Representatives for the purposes of such joint resolution upon vouchers approved by the Commission or such member thereof as the Commission may designate for that purpose at such times and in such amounts as the Commission may direct.

Painting of the signing of the Constitution.  
*Ante*, p. 583.

## INDEPENDENT ESTABLISHMENTS

## EXECUTIVE OFFICE

Salaries: For an additional amount to be added to the appropriation "Salaries, Executive Office, 1940", to provide six administrative assistants to the President at \$10,000 each a year and for their clerical and secretarial assistants, \$86,400.

Administrative assistants to the President, etc.  
*Ante*, pp. 524, 565.

Contingent expenses, Executive Office: For an additional amount for contingent expenses of the Executive Office, including the same objects specified under this head in the Independent Offices Appropriation Act, 1940, \$6,600.

Contingent expenses.

*Ante*, p. 524.

Traveling expenses of the President: For an additional amount for traveling and official entertainment expenses of the President of the United States, to be expended, in his discretion and accounted for on his certificate solely, fiscal year 1940, \$5,000.

Traveling expenses of the President.  
*Ante*, p. 525.

Bureau of the Budget, salaries and expenses: The unobligated balance on June 30, 1939, of the appropriation, "Salaries and Expenses, Bureau of the Budget, 1939", shall be added to and become a part of the appropriation, "Salaries and Expenses, Bureau of the

Bureau of the Budget, salaries and expenses.

52 Stat. 126, 1149.

*Proviso.*  
Limitation on  
amount for salaries,  
etc., increased.  
*Ante*, p. 680.

R. S. § 3709.  
41 U. S. C. § 5.  
5 U. S. C. §§ 631-652,  
661-674; Supp. IV, §§  
673, 673c.

Electric Home and  
Farm Authority, ad-  
ministrative expenses.

*Ante*, p. 510.

Travel expenses.  
44 Stat. 688.  
5 U. S. C. §§ 821-  
833.  
Printing and bind-  
ing.

Labor-saving de-  
vices.

Rent.

*Proviso.*  
Certain expenses  
deemed nonadminis-  
trative.

Export-Import Bank  
of Washington.  
Administrative ex-  
penses.

*Ante*, p. 510.

Personal services.

Travel expenses.  
44 Stat. 688.  
5 U. S. C. §§ 821-833.  
Printing and bind-  
ing.

Labor-saving de-  
vices.

Rent.

*Proviso.*  
Certain expenses  
deemed nonadminis-  
trative.

Restriction on use of  
funds.  
*Ante*, p. 550.

Salaries and ex-  
penses.

Budget, 1940": *Provided*, That the limitation of \$5,000 on the amount that may be expended from the appropriation "Salaries and Expenses, Bureau of the Budget, 1940", for the temporary employment of persons or organizations by contract or otherwise without regard to section 3709 of the Revised Statutes, or the civil-service laws, or the Classification Act of 1923, as amended, is hereby increased to \$50,000.

#### FEDERAL LOAN AGENCY

Electric Home and Farm Authority, salaries and administrative expenses: Not to exceed \$500,000 of the funds of the Electric Home and Farm Authority, established as an agency of the Government by Executive Order Numbered 7139 of August 12, 1935, and continued as such agency until June 30, 1941, by the Act of March 4, 1939 (Public Act Numbered 2, Seventy-sixth Congress), shall be available during the fiscal year 1940 for administrative expenses of the Authority, including personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (5 U. S. C. 821-833); printing and binding; lawbooks and books of reference; not to exceed \$200 for periodicals, newspapers, and maps; procurement of supplies, equipment, and services; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; rent in the District of Columbia and elsewhere; and all other administrative expenses: *Provided*, That all necessary expenses (including legal and special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, care, repair, and disposition of any security or collateral now or hereafter held or acquired by the Authority shall be considered as nonadministrative expenses for the purposes hereof.

Export-Import Bank of Washington, salaries and administrative expenses: Not to exceed \$75,000 of the funds of the Export-Import Bank of Washington, established as an agency of the Government by Executive Order Numbered 6581 of February 2, 1934, and continued as such agency until June 30, 1941, by the Act approved March 4, 1939 (Public Act Numbered 3, Seventy-sixth Congress), shall be available during the fiscal year 1940 for administrative expenses of the bank, including personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (5 U. S. C. 821-833); printing and binding; lawbooks and books of reference; not to exceed \$250 for periodicals, newspapers, and maps; procurement of supplies, equipment, and services; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; rent in the District of Columbia and elsewhere; and all other necessary administrative expenses: *Provided*, That all necessary expenses (including special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, operation, maintenance, improvement, or disposition of any real or personal property belong to the bank or in which it has an interest, including expenses of collections of pledged collateral, shall be considered as nonadministrative expenses for the purposes hereof.

The funds made available herein under the caption "Federal Loan Agency" shall be subject to section 4 of the Independent Offices Appropriation Act, 1940.

#### EMPLOYEES' COMPENSATION COMMISSION

Salaries and expenses: For an additional amount for salaries and expenses of the Employees' Compensation Commission, fiscal year 1939, including the same objects and under the same limitations speci-

fied in the appropriation for this purpose in the Independent Offices Appropriation Act, 1939, \$17,500.

Employees' compensation fund, emergency relief: The paragraph in the Independent Offices Appropriation Act, 1939, under the head "Employees' Compensation Fund, Emergency Relief", is hereby amended by striking out the sum "\$2,936,546" and inserting in lieu thereof the sum "\$3,686,546".

#### FEDERAL COMMUNICATIONS COMMISSION

Salaries and expenses: For seven Commissioners, and for all other authorized expenditures of the Federal Communications Commission in performing the duties imposed by the Communications Act of 1934, approved June 19, 1934 (48 Stat. 1064), the Ship Act of 1910, approved June 24, 1910, as amended (46 U. S. C. 484-487), the International Radiotelegraphic Convention (45 Stat., pt. 2, p. 2760), Executive Order Numbered 3513, dated July 9, 1921, as amended under date of June 30, 1934, relating to applications for submarine cable licenses, and the radiotelegraphy provisions of the Convention for Promoting Safety of Life at Sea, ratified by the President of the United States, July 7, 1936, including personal services, contract stenographic reporting services, rental of quarters, newspapers, periodicals, reference books, law books, special counsel fees, supplies and equipment, including purchase and exchange of instruments, which may be purchased without regard to section 3709 of the Revised Statutes (41 U. S. C. 5) when the aggregate amount involved does not exceed \$25, improvement and care of grounds and repairs to buildings, not to exceed \$5,000, purchase, including exchange, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles for official use in the field, not to exceed \$3,000, traveling expenses, including expenses of attendance at meetings which in the discretion of the Commission are necessary for the efficient discharge of its responsibilities, reimbursement to ships of the United States for charges incurred by such ships in transmitting information in compliance with section 357 of the Communications Act of 1934, as amended, expenses of packing, crating, drayage, and transportation of household goods and other personal effects (not to exceed in any case five thousand pounds) of officers and employees when transferred from one official station to another for permanent duty upon specific authorization by the Commission, and other necessary expenses; fiscal year 1940, \$1,800,000, of which amount not to exceed \$1,151,000 may be expended for personal services in the District of Columbia.

Special study of radio requirements necessary for ships navigating the Great Lakes and inland waters of the United States: To enable the Federal Communications Commission to study and report to Congress the radio requirements necessary or desirable for safety purposes for ships navigating the Great Lakes and the inland waters of the United States, as provided in section 15 of the Act entitled "An Act to amend the Communications Act of 1934, approved June 19, 1934, for the purpose of promoting safety of life and property at sea through the use of wire and radio communications, to make more effective the International Convention for the Safety of Life at Sea, 1929, and for other purposes", approved May 20, 1937 (50 Stat. 189-198), including personal services in the District of Columbia and elsewhere; travel expenses, supplies and equipment, and such other contingent and miscellaneous expenses as may be necessary; fiscal year 1940, \$13,175.

Printing and binding: For all printing and binding for the Federal Communications Commission, fiscal year 1940, \$25,000.

Total, Federal Communications Commission, \$1,838,175.

52 Stat. 414.

Employees' compensation fund, emergency relief.

52 Stat. 415.

Salaries and expenses.

48 Stat. 1064.  
47 U. S. C. § 151;  
Supp. IV, § 151.  
Ship Act of 1910.  
36 Stat. 629.  
46 U. S. C. §§ 484-487; Supp. IV, §§ 484-487.  
Submarine cable licenses.  
45 Stat. 2760.

50 Stat. 1146.

Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.

Vehicles.

Attendance at meetings.

Transmission of information by U. S. ships.  
50 Stat. 195.  
47 U. S. C., Supp. IV, § 357.  
Transportation of personal effects.

Personal services.

Radio requirements for ships navigating Great Lakes, etc.

50 Stat. 197.  
47 U. S. C., Supp. IV, § 602.  
Travel expenses.

Printing and binding.



## RECONSTRUCTION FINANCE CORPORATION

Limitation on administrative expenses increased.

52 Stat. 434.

Salaries and administrative expenses: The limitation of \$9,250,000 for administrative expenses of the Reconstruction Finance Corporation and the Reconstruction Finance Corporation Mortgage Company for the fiscal year 1939, contained in the Independent Offices Appropriation Act, 1939, is hereby increased to \$9,500,000.

## SMITHSONIAN INSTITUTION

National Gallery of Art, maintenance.

50 Stat. 51; *ante*, p. 577.

Personal services.

Salaries and expenses, National Gallery of Art: For the upkeep and operation of the National Gallery of Art, the protection and care of the works of art therein, and all administrative expenses incident thereto, as authorized by the Act of March 24, 1937 (50 Stat. 51), as amended by the public resolution of April 13, 1939 (Public Resolution Numbered 9, Seventy-sixth Congress), including personal services in the District of Columbia (except as otherwise provided in sec. 4 (c) of such Act); traveling expenses; supplies and equipment; periodicals and books of reference; rental of equipment; services; uniforms for guards and elevator operators; not to exceed \$2,000 for printing and binding; purchase or rental of devices for protecting buildings and contents thereof; and maintenance and repair of buildings, approaches, and grounds, fiscal year 1940, \$159,000.

## TEMPORARY NATIONAL ECONOMIC COMMITTEE

Administrative expenses.

52 Stat. 705; *ante*, p. 624.  
Rent.

Availability.

Allocations to departments, etc.

*Proviso.*  
Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.

For an additional amount for each and every purpose requisite and incident to carrying out the provisions of the public resolution entitled "Joint resolution to create a temporary national economic committee", approved June 16, 1938, as amended by the public resolution approved April 26, 1939, including rent and personal services in the District of Columbia and elsewhere by contract or otherwise; contract stenographic reporting services; books of reference; traveling expenses; employment of messenger service by contract or otherwise, and all other necessary expenses; \$390,000, to be available until the expiration of the Seventy-sixth Congress, of which amount not to exceed \$96,000 shall be available for expenditure by the Temporary National Economic Committee and \$294,000 for allocation by the President to the departments and agencies represented on the Committee to enable them to carry out their functions under such public resolution approved June 16, 1938: *Provided*, That section 3709 of the Revised Statutes (41 U. S. C. 5) shall not apply to any purchase or service rendered hereunder when the aggregate amount involved does not exceed \$100.

## WORK PROJECTS ADMINISTRATION

Direct relief to destitute citizens, Anoka and Hennepin Counties, Minn.

*Proviso.*  
State, etc., contributions.

To enable the Commissioner of Work Projects to afford direct relief to citizens of the counties of Anoka and Hennepin, in the State of Minnesota, made destitute by the recent tornado which occurred in that State, either by grants to the Governor of the State of Minnesota or local authorities, or otherwise, as he may determine, fiscal year 1940, \$35,000, payable from funds of the Work Projects Administration: *Provided*, That, in the discretion of the Commissioner of Works Projects, no part of this sum shall be used for grants unless a sum or sums at least equal to such grants shall have been made available by the State of Minnesota or a political subdivision thereof for the accomplishment of the same purpose.

## DISTRICT OF COLUMBIA

Board of Tax Appeals.

Board of Tax Appeals: For an additional amount for salaries of the Board of Tax Appeals for the District of Columbia, in accordance

with title IX of the Act entitled "An Act to amend the District of Columbia Revenue Act of 1937, and for other purposes", approved May 16, 1938, fiscal year 1939, \$350.

Commission on Mental Health: For an additional amount for compensation of members of the Commission on Mental Health of the District of Columbia, and other personal services, including payment of witness fees and mileage, fiscal year 1939, \$750.

Public schools: For an additional amount for personal services of clerks and other employees, fiscal year 1939, \$705.

Policemen and firemen's relief: For an additional amount to pay the policemen and firemen's relief and other allowances as authorized by law, fiscal year 1939, \$65,000.

Municipal court, jurors: For an additional amount for compensation of jurors, under the same conditions and limitations applicable to the appropriation for this purpose in the District of Columbia Appropriation Act, fiscal year 1939, \$725.

Division of expenses: The foregoing sums for the District of Columbia, unless otherwise therein specifically provided, shall be paid out of the revenues of the District of Columbia and the Treasury of the United States in the manner prescribed by the District of Columbia Appropriation Acts for the respective fiscal years for which such sums are provided.

## DEPARTMENT OF AGRICULTURE

### COMMODITY CREDIT CORPORATION

Salaries and administrative expenses: Not to exceed \$2,000,000 of the funds of the Commodity Credit Corporation, established as an agency of the Government by Executive Order Numbered 6340, dated October 16, 1933, and continued as such agency to June 30, 1941, by the Act of March 4, 1939 (Public Act Numbered 3, Seventy-sixth Congress), shall be available during the fiscal year 1940 for administrative expenses of the Corporation, including personal services in the District of Columbia and elsewhere; travel expenses, in accordance with the Standardized Government Travel Regulations and the Act of June 3, 1926, as amended (5 U. S. C. 821-833); printing and binding; law books and books of reference; not to exceed \$150 for periodicals, maps, and newspapers; procurement of supplies, equipment, and services; typewriters, adding machines, and other labor-saving devices, including their repair and exchange; rent in the District of Columbia and elsewhere; and all other necessary administrative expenses: *Provided*, That all necessary expenses (including legal and special services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, operation, maintenance, improvement, or disposition of any real or personal property belonging to the Corporation or in which it has an interest, including expenses of collections of pledged collateral, shall be considered as nonadministrative expenses for the purposes hereof: *Provided*, That the funds made available by this paragraph shall be subject to section 4 of the Independent Offices Appropriation Act, 1940.

## DEPARTMENT OF THE INTERIOR

### OFFICE OF THE SECRETARY

Salaries: The sum of \$216,560 of the funds appropriated by section 201 (a) of the Public Works Administration Appropriation Act of 1938 is hereby transferred, effective July 1, 1939, to the appropriation "Salaries, Office of the Secretary of the Interior, 1940", such amount to be taken from the sum made available for the fiscal year

52 Stat. 370.  
20 D. C. Code,  
Supp. IV, § 973.

Commission on  
Mental Health.

Public schools,  
clerks, etc.

Policemen and fire-  
men's relief.

Municipal court,  
jurors.

52 Stat. 176.

Division of ex-  
penses.

Administrative ex-  
penses.

*Ante*, p. 510.

Personal services.

Travel expenses.

44 Stat. 688.  
5 U. S. C. §§ 821-833.  
Printing and bind-  
ing.

Rent.

*Provided*.  
Nonadministrative  
expenses.

Restriction on use  
of funds.  
*Ante*, p. 550.

Salaries.

52 Stat. 816.  
*Ante*, p. 685.

*Ante*, p. 548.

1940 for administrative expenses of the Federal Emergency Administration of Public Works by the Independent Offices Appropriation Act, 1940.

#### GENERAL LAND OFFICE

Registers of land offices.

Registers: For an additional amount for salaries and commissions of registers of district land offices, fiscal year 1939, \$1,000.

#### BUREAU OF INDIAN AFFAIRS

Hospitals, etc., Alaska.

50 Stat. 222.

Construction, and so forth, buildings and utilities, Indian Service: The unexpended balance of the appropriation of \$100,000 contained in the Second Deficiency Appropriation Act, fiscal year 1937, for the construction and equipment of a hospital at Point Barrow, Alaska, is hereby made available under this head until June 30, 1941, for the construction and equipment of hospitals and quarters in Alaska.

#### GOVERNMENT IN THE TERRITORIES

Survey of natural resources, Antarctic regions.  
*Ante*, p. 634; *post*, p. 1321.

Personal services.

5 U. S. C. §§ 661-674;  
Supp. IV, §§ 673, 673c.

R. S. § 3709.  
41 U. S. C. § 5.

*Proviso.*  
Contracts for supplies in foreign ports.

Division of Territories and Island Possessions: For an additional amount for expenses of the Division of Territories and Island Possessions in the investigation and survey of natural resources of the land and sea areas of the Antarctic regions, including personal services in the District of Columbia and elsewhere without regard to the civil-service laws or the Classification Act of 1923, as amended, or by contract, if deemed necessary, without regard to the provisions of section 3709 of the Revised Statutes, rent, traveling expenses, purchase of necessary books, documents, newspapers and periodicals, stationery, hire of automobiles, purchase of equipment, supplies and provisions, and all other necessary expenses, fiscal year 1939, to remain available until June 30, 1940, \$340,000: *Provided*, That fuel, repairs, and emergency supplies may be contracted for in foreign ports.

#### DEPARTMENT OF JUSTICE

##### JUDICIAL

##### MARSHALS, AND OTHER EXPENSES OF UNITED STATES COURTS

U. S. Courts.  
Transfer of appropriations; availability.  
52 Stat. 268.  
Printing and binding.  
52 Stat. 259.  
District court, C. Z.  
52 Stat. 266.  
Marshals.  
52 Stat. 267.  
Clerks.  
52 Stat. 268.  
Miscellaneous salaries.  
52 Stat. 268.  
*Proviso.*  
Department deficiencies, 1938 and prior years.

52 Stat. 268.

Conciliation Commissioners, U. S. Courts.

The sum of \$136,000 of the unexpended balance of the appropriation "Fees of Jurors and Witnesses, United States Courts, 1939", is hereby transferred and made available for the purposes of the appropriations to which transferred, as follows: The sum of \$50,000 to "Printing and Binding, Department of Justice and Courts, 1939"; the sum of \$2,000 to "Salaries, District Court, Panama Canal Zone, 1939"; the sum of \$40,000 to "Salaries, Fees, and Expenses of Marshals, United States Courts, 1939"; the sum of \$27,000 to "Salaries and Expenses of Clerks, United States Courts, 1939"; and the sum of \$17,000 to "Miscellaneous Salaries, United States Courts, 1939": *Provided*, That the deficiencies under appropriations for the Department of Justice for the fiscal year 1938 and prior fiscal years due to settlements of accounts and claims by the Comptroller General of the United States, set forth on page 134 of the hearing of June 19, 1939, before the subcommittee of the Committee on Appropriations in charge of deficiency appropriations, may be charged against the appropriation "Fees of Jurors and Witnesses, United States Courts, 1939".

Conciliation Commissioners, United States Courts: The unexpended balances of the appropriations "Fees and Expenses of Conciliation Commissioners, United States Courts, 1937-1939", and "Fees of Conciliation Commissioners, United States Courts, 1938", are hereby continued available for the same purposes until June 30, 1940.

## POST OFFICE DEPARTMENT

(OUT OF POSTAL REVENUES)

Unexpended balances of appropriations for the Post Office Department are hereby transferred and made available for the purposes of the appropriations to which transferred, as follows: The sum of \$1,500,000 from "Railway Mail Service, Salaries, 1939" to "Clerks, First- and Second-Class Post Offices, 1939"; the sum of \$1,000,000 from "Railroad Transportation and Mail Messenger Service, 1939" to "City Delivery Carriers, 1939"; the sum of \$350,000 from "Rural Delivery Service, 1939" to "Special Delivery Fees, 1939"; the sum of \$15,000 from "Electric- and Cable-Car Service, 1939" to "Power-Boat Service, 1939"; and the sum of \$35,000 from "Manufacture and Distribution of Stamps and Stamped Paper, 1939" to "Unpaid Money Orders More Than One Year Old, 1939".

The appropriation "Vehicle Service, 1940", contained in the Post Office Department Appropriation Act, 1940, approved May 6, 1939, is hereby made available also for the repair of vehicles owned by, or under the control of, units of the National Guard and departments and agencies of the Federal Government where repairs are made necessary because of utilization of such vehicles in the Postal Service.

Transfers of unexpended balances of appropriations, 1939.

52 Stat. 142-144.

Repair of vehicles.  
*Ante*, p. 681.

## DEPARTMENT OF STATE

Alaskan International Highway Commission: For the expenses of the Alaskan International Highway Commission, created by the Act of May 31, 1938 (52 Stat. 590), including personal services in the District of Columbia or elsewhere without regard to the civil-service laws and the Classification Act of 1923, as amended; stenographic, translating, and other services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (41 U. S. C. 5); communication service; rent; travel expenses; local transportation; transportation of things; purchase of necessary books, documents, newspapers, periodicals, and maps; stationery; equipment; official cards; entertainment; printing and binding; and such other expenses as the President shall deem proper in the fulfillment of the duty of the Commission, including the United States share of necessary joint expenses of the two Governments, fiscal year 1940, \$6,200.

Eighth Pan American Child Congress, San José, Costa Rica: For the expenses of participation by the United States in the Eighth Pan American Child Congress, to be held at San José, Costa Rica, in 1939, including personal services in the District of Columbia or elsewhere, without regard to the Classification Act of 1923, as amended; stenographic reporting, translating, and other services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (41 U. S. C. 5); communication service; rent; travel expenses; local transportation; transportation of things; purchase of necessary books, documents, newspapers, and periodicals; stationery; equipment; official cards; entertainment; printing and binding; cost of assembling, installing, packing, transporting, safekeeping, demonstrating, and renovating a suitable exhibit, and the purchase of supplies incident thereto, by contract if deemed necessary without regard to section 3709 of the Revised Statutes (41 U. S. C. 5); and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, to be expended under the direction of the Secretary of State, fiscal year 1940, \$5,000.

First Pan American Housing Conference, Buenos Aires, Argentina: For the expenses of participation by the United States in the First Pan American Housing Conference, to be held at Buenos Aires,

Alaskan International Highway Commission.

52 Stat. 590.  
Personal services.  
5 U. S. C. §§ 631-652, 661-674; Supp. IV, §§ 673, 673c.  
Contract services.  
R. S. § 3709.  
41 U. S. C. § 5.

Share of joint expenses.

Eighth Pan American Child Congress, San José, Costa Rica.

Personal services.  
5 U. S. C. §§ 661-674; Supp. IV, §§ 673, 673c.  
Contract services.  
R. S. § 3709.  
41 U. S. C. § 5.

Exhibit.

Purchase of supplies.

R. S. § 3709.  
41 U. S. C. § 5.

First Pan American Housing Conference, Buenos Aires, Argentina.

Personal services.  
5 U. S. C. §§ 661-674;  
Supp. IV, §§ 673, 673c.  
Contract services.  
R. S. § 3709.  
41 U. S. C. § 5.

Argentina, in 1939, including personal services in the District of Columbia or elsewhere, without regard to the Classification Act of 1923, as amended; stenographic reporting, translating, and other services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (41 U. S. C. 5); communication service; rent; travel expenses; local transportation; transportation of things; purchase of necessary books, documents, newspapers, and periodicals; stationery; equipment; official cards; entertainment; printing and binding; cost of assembling, installing, packing, transporting, safe-keeping, demonstrating, and renovating a suitable exhibit; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, to be expended under the direction of the Secretary of State, fiscal year 1940, \$2,000.

International Committee on Political Refugees.

Personal services.  
5 U. S. C. §§ 631-652,  
661-674; Supp. IV,  
§§ 673, 673c.

Contract services.

R. S. § 3709.  
41 U. S. C. § 5.

Unexpended balance reappropriated.

52 Stat. 1147.

*Proviso.*  
Salary limitation.

Third International Congress for Microbiology.

*Ante*, p. 554.

Mixed Claims Commission, United States and Germany.

49 Stat. 1631.

Emergencies, Diplomatic and Consular Service.

52 Stat. 1145.

International conferences.  
Balances reappropriated.

52 Stat. 1147.

International Committee on Political Refugees: for the expenses of participation by the United States in the International Committee on Political Refugees, including personal services in the District of Columbia and elsewhere without regard to the civil-service laws and regulations or the Classification Act of 1923, as amended; stenographic reporting, translating, and other services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (41 U. S. C. 5); rent; traveling expenses; purchase of necessary books, documents, newspapers, and periodicals; stationery; equipment; official cards; printing and binding; entertainment; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, fiscal year 1940, \$20,000, together with the unexpended balance of the appropriation for this purpose for the fiscal years 1938 and 1939 contained in the Second Deficiency Appropriation Act, fiscal year 1938: *Provided*, That no salary shall be paid hereunder at a rate in excess of \$7,500 per annum.

Third International Congress for Microbiology: For the expenses of participation by the United States in the Third International Congress for Microbiology, to be held in the United States during the calendar year 1939, as authorized by and in accordance with Public Resolution Numbered 6, approved March 29, 1939, fiscal year 1940, \$5,000.

Mixed Claims Commission, United States and Germany: For the Mixed Claims Commission, United States and Germany, fiscal year 1939, including the same objects specified under this head in the First Deficiency Appropriation Act, fiscal year 1936, \$34,400, to remain available until June 30, 1940.

Emergencies arising in the Diplomatic and Consular Service: The unexpended balance of the appropriation "Emergencies Arising in the Diplomatic and Consular Service, 1938 and 1939", contained in the Second Deficiency Appropriation Act, fiscal year 1938, is continued available for the same purposes until June 30, 1940.

International Monetary and Economic Conference and General Disarmament Conference: The unexpended balances of the appropriations "International Monetary and Economic Conference, 1933-1939", and "General Disarmament Conference, Geneva, Switzerland, 1933-1939", contained in the Second Deficiency Appropriation Act, fiscal year 1938, are continued available for the same purposes until June 30, 1940.

## TREASURY DEPARTMENT

## OFFICE OF COMMISSIONER OF ACCOUNTS AND DEPOSITS

Contingent expenses, public moneys: For an additional amount for contingent expenses, public moneys, fiscal year 1939, including the same objects specified under this head in the Treasury Department Appropriation Act, 1939, \$6,500.

Contingent expenses, public moneys.

52 Stat. 124.

## COAST GUARD

Office of the Commandant: Not exceeding \$6,600 of the amount appropriated for "Fuel and water, Coast Guard", in the Treasury Department Appropriation Act, 1939, may be transferred to the appropriation for "Salaries, office of Coast Guard, 1939".

Salaries.  
Transfer of appropriation.  
52 Stat. 129.

## PROCUREMENT DIVISION, PUBLIC BUILDINGS BRANCH

Operating force for public buildings: For an additional amount for personal services, fiscal year 1939, including the same objects specified under this head in the Treasury Department Appropriation Act, 1939, \$15,500.

Operating force, public buildings.

52 Stat. 136.

SEC. 2. That section 6 of the Treasury and Post Office Departments Appropriation Act, fiscal year 1940 (Public, Numbered 65, Seventy-sixth Congress), approved May 6, 1939, is hereby amended to read as follows:

Official mail matter.  
*Ante*, p. 683.

"SEC. 6. On and after July 1, 1939, no executive department or independent establishment of the Government shall transmit through the mail, free of postage, any book, report, periodical, bulletin, pamphlet, list, or other article or document (except official letter correspondence, including such enclosures as are reasonably related to the subject matter of the correspondence; informational releases in connection with the decennial census of the United States, mail concerning the sale of Government securities, and all forms and blanks and copies of statutes, rules, regulations, and instructions and administrative orders and interpretations necessary in the administration of such departments and establishments), unless a request therefor has been previously received by such department or independent establishment; or such transmission is required by law; or such document is transmitted to inform the recipient thereof of the adoption, amendment, or interpretation of a statute, rule, regulation, or order to which he is subject. For each quarter, beginning with the quarter commencing July 1, 1939, the head of each independent establishment and executive department (other than the Post Office Department) shall submit to the Postmaster General, within thirty days after the close of the quarter, a statement of the weight of the mail matter by classes of mail that the independent establishment or department has transmitted free of postage during such quarter, and he shall also certify to the Postmaster General at the end of each such quarter that nothing was transmitted through the mail free of postage by the independent establishment or department in violation of the provisions of this section: *Provided*, That nothing herein shall be construed to prohibit the mailing free of postage of lists of agricultural bulletins, lists of public documents which are offered for sale by the Superintendent of Documents, or of announcements of publications of maps, atlases, statistical, and other reports offered for sale by the Federal Power Commission as authorized by section 312 of the Federal Power Act: *Provided further*, That this prohibition shall not apply to the transmission of such books, reports, periodicals, bulletins, pamphlets, lists, articles, or documents to educational insti-

Executive departments and independent establishments.

Restriction on transmitting certain unsolicited matter, free of postage.  
Exceptions.

Quarterly statements of weight by classes.

Certification of compliance.

*Provisos*.  
Exceptions.

49 Stat. 859.  
16 U. S. C., Supp. IV, § 825k.  
Educational institutions, etc.

tutions or public libraries, or to Federal, State, or other public authorities.”

Short title.

SEC. 3. This Act may be cited as the “Urgent Deficiency and Supplemental Appropriation Act, fiscal years 1939 and 1940”.

Approved, June 30, 1939.

[CHAPTER 255]

AN ACT

June 30, 1939

[S. 1805]

[Public, No. 161]

To establish a lien for moneys due hospitals for services rendered in cases caused by negligence or fault of others and providing for the recording and enforcing of such liens.

District of Columbia.  
Establishment of lien for moneys due hospitals for services in accidents.

5 U. S. C. ch. 15; Supp. IV, ch. 15; 33 U. S. C. ch. 18; Supp. IV, ch. 18.

Money received by patient for damages on account of such injuries.  
By heirs, etc., in case of death.

Proviso.  
Injuries covered by designated compensation Acts.

Procedure.

Notice to be filed in District Court of the United States for D. C.

Copy to party liable to injured party prior to payment.

Copy to insurance carrier.

Liability for amount due.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That every association, corporation, or other institution maintaining a hospital in the District of Columbia, which shall furnish medical or other service to any patient injured by reason of an accident causing injuries not covered by the Employees' Compensation Act or the Workmen's Compensation Act, shall, if such injured party shall assert or maintain a claim against another for damages on account of such injuries, have a lien upon that part going or belonging to such patient, of any recovery or sum had or collected or to be collected by such patient, or by his heirs or personal representatives in the case of his death, whether by judgment or by settlement or compromise to the amount of the reasonable and necessary charges of such hospital for the treatment, care, and maintenance of such patient in such hospital up to the date of payment of such damages: *Provided,* That the lien herein set forth shall not be applied or considered valid against any one suffering injuries coming under the Employees' Compensation Act or the Workmen's Compensation Act in this District.

SEC. 2. No such lien shall be effective, however, unless a written notice containing the name and address of the injured person, the date of the accident, the name and location of the hospital, and the name of the person or persons, firm or firms, corporation or corporations alleged to be liable to the injured party for the injuries received, shall be filed in the office of the clerk of the District Court of the United States for the District of Columbia in a docket provided for such liens, prior to the payment of any moneys to such injured person, his attorneys, or legal representatives as compensation for such injuries; nor unless the hospital shall also mail, postage prepaid, a copy of such notice with a statement of the date of filing thereof to the person or persons, firm or firms, corporation or corporations alleged to be liable to the injured party for the injuries sustained prior to the payment of any moneys to such injured person, his attorneys, or legal representatives as compensation for such injuries. Such hospital shall mail a copy of such notice to any insurance carrier which has insured such person, firm, or corporation against such liability, where the name of such insurance carrier is ascertained.

SEC. 3. Any person or persons, firm or firms, corporation or corporations, including an insurance carrier, making any payment to such patient or to his attorneys or heirs or legal representatives as compensation for the injury sustained, after the filing and mailing of such notice without paying to such hospital the amount of its lien or so much thereof as can be satisfied out of the moneys due under any final judgment or compromise or settlement agreement after paying the amount of any prior liens, shall for a period of one year from the date of payment to such patient or his heirs, attorneys, or legal representatives, as aforesaid, be and remain liable to such hospital for the amount which such hospital was entitled to receive as aforesaid; and

any such association, corporation, or other institution maintaining such hospital may, within such period, enforce its lien by a suit at law against such person or persons, firm or firms, corporation or corporations making any such payment.

SEC. 4. Any person or persons, firm or firms, corporation or corporations legally liable for such lien or against whom a claim shall be asserted for compensation for such injuries, shall be permitted to examine the ledger entries and similar records of any such association, corporation, or other institution or body maintaining such hospital for the purpose of ascertaining the basis for such lien.

SEC. 5. The clerk of the District Court of the United States for the District of Columbia shall provide a suitable bound book to be called the hospital lien docket, in which, upon the filing of any lien claim under the provisions of this Act, he shall enter the name of the injured person, the name of the person, firm, or corporation alleged to be liable for the injuries, the date of the accident, and the name of the hospital or other institution making the claim. Said clerk shall make a proper index of the same in the name of the injured person and the clerk shall charge such reasonable fees, not to exceed the sum of \$1, as the court may by rule fix for the recording, indexing, and the releasing of the lien so filed.

Approved, June 30, 1939.

Enforcement by suit at law.

Permission to examine ledger entries to ascertain basis for lien.

Recording, etc., of liens.

Fees.

#### [CHAPTER 256]

##### AN ACT

To extend the period during which direct obligations of the United States may be used as collateral security for Federal Reserve notes.

June 30, 1939

[S. 2618]

[Public, No. 162]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the second paragraph of section 16 of the Federal Reserve Act, as amended, is hereby amended by striking therefrom the words "until June 30, 1939" and by inserting in lieu thereof the words "until June 30, 1941".

Approved, June 30, 1939.

Federal Reserve notes.  
Time extended during which direct obligations may be used as collateral security.  
50 Stat. 23.  
12 U. S. C., Supp. IV, § 412.

#### [CHAPTER 257]

##### AN ACT

To extend the time within which annual assessment work on mining claims held by location in the United States may be commenced, for the year commencing at 12 o'clock meridian July 1, 1938.

June 30, 1939

[H. R. 6977]

[Public, No. 163]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That to comply with the provisions of section 2324 of the Revised Statutes of the United States, which requires on each mining claim located, and until a patent has been issued therefor, not less than \$100 worth of labor to be performed or improvements aggregating such amount to be made each year, it shall be sufficient, for the year beginning at 12 o'clock meridian July 1, 1938, if such work or improvements are in good faith commenced on or before 12 o'clock meridian September 1, 1939, and prosecuted with reasonable diligence to completion.

Approved, June 30, 1939.

Public lands.  
Mining claims assessment work; time extension.  
R. S. § 2324.  
30 U. S. C. § 28.



## [CHAPTER 258]

## AN ACT

July 1, 1939  
[H. R. 6791]  
[Public, No. 164]

Supplemental Mil-  
itary Appropriation  
Act, 1940.

Making additional appropriations for the Military Establishment for the fiscal year ending June 30, 1940, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Military Establishment for the fiscal year ending June 30, 1940, and for other purposes, namely:

## SALARIES, WAR DEPARTMENT

## Personal services.

For compensation for temporary personal services in the District of Columbia, fiscal year 1940, as follows:

Office of Secretary of War, \$28,923.

Office of Chief of Staff, \$21,505.

Adjutant General's Office, \$97,942.

Office of the Judge Advocate General, \$9,967.

Office of the Chief of Finance, \$29,095.

Office of the Quartermaster General, \$10,422.

Office of the Chief Signal Officer, \$33,964.

Office of the Chief of Air Corps, \$52,153.

Office of the Surgeon General, \$14,610.

In all, \$298,581.

Restriction on ex-  
ceeding average sal-  
aries.  
5 U. S. C. §§ 661-  
674; Supp. IV, §§ 673,  
673c.

In expending appropriations or portions of appropriations contained in this Act, for the payment for personal services in the District of Columbia in accordance with the Classification Act of 1923, as amended, with the exception of the Assistant Secretary of War, the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade but not more often than once in any fiscal year and then only to the next higher rate: *Provided*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service, or (2) to require the reduction in salary of any person whose compensation was fixed as of July 1, 1924, in accordance with the rules of section 6 of such Act, (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit, (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law; or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

## Exception.

*proviso.*  
Restriction not ap-  
plicable to certain  
grades of clerical-me-  
chanical service.  
No reduction in  
fixed salaries.  
42 Stat. 1490.  
5 U. S. C. § 666.  
Transfer without re-  
duction.  
Higher rates per-  
mitted.

If only one position  
in grade.

## OFFICE OF THE SECRETARY

## CONTINGENT EXPENSES, WAR DEPARTMENT

Department contin-  
gent expenses.

*Ante*, p. 594.

For an additional amount for contingent expenses, War Department, fiscal year 1940, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$110,750.

## PRINTING AND BINDING, WAR DEPARTMENT

Printing and bind-  
ing.

*Ante*, p. 594.

For an additional amount for printing and binding for the War Department, except such as may be otherwise provided for in accordance with existing law, fiscal year 1940, \$63,645.

## MILITARY ACTIVITIES

## EDUCATIONAL ORDERS

For placing educational orders to familiarize private manufacturing establishments with the production of munitions of war of special or technical design, noncommercial in character, as authorized by law, fiscal year 1940, \$14,250,000.

Educational orders.

*Ante*, pp. 595, 560.

## GENERAL STAFF CORPS

## MILITARY INTELLIGENCE ACTIVITIES

For an additional amount for military intelligence activities, fiscal year 1940, comprising the same objects specified under this head in the Military Appropriation Act, 1940, \$5,000.

Military intelligence activities.

*Ante*, p. 595.

## FINANCE DEPARTMENT

## PAY OF THE ARMY

For an additional amount for pay of the Army, fiscal year 1940, comprising the same objects but not subject to the limitations as to the numbers of commissioned officers and enlisted men specified under this head in the Military Appropriation Act for said fiscal year, \$10,175,940.

Pay of the Army.

*Ante*, p. 596.

## TRAVEL OF THE ARMY

For an additional amount for travel of the Army, fiscal year 1940, comprising the same objects specified under this head in the Military Appropriation Act for said fiscal year, \$1,853,578.

Travel.

*Ante*, p. 597.

## EXPENSES OF COURTS MARTIAL

For an additional amount for expenses of courts martial, fiscal year 1940, comprising the same objects specified under this head in the Military Appropriation Act for said fiscal year, \$4,000.

Courts martial expenses.

*Ante*, p. 598.

## FINANCE SERVICE

For an additional amount for compensation of clerks and other employees of the Finance Department, fiscal year 1940, \$155,545.

Personal services.

*Ante*, p. 599.

## QUARTERMASTER CORPS

Subsistence of the Army: For an additional amount for subsistence of the Army, fiscal year 1940, comprising the same objects specified under this head in the Military Appropriation Act for said fiscal year, \$2,771,015.

Subsistence of the Army.

*Ante*, p. 599.

Regular supplies of the Army: For an additional amount for regular supplies of the Army, fiscal year 1940, comprising the same objects specified under this head in the Military Appropriation Act for said fiscal year, \$944,545.

Regular supplies of the Army.

*Ante*, p. 600.

Clothing and equipage: For an additional amount for clothing and equipage for the Army, fiscal year 1940, comprising the same objects specified under this head in the Military Appropriation Act for said fiscal year, \$6,965,228.

Clothing and equipage.

*Ante*, p. 600.

Incidental expenses of the Army: For an additional amount for incidental expenses of the Army, fiscal year 1940, comprising the same objects specified under this head in the Military Appropriation Act for said fiscal year, \$138,255.

Incidental expenses.

*Ante*, p. 601.

Army transportation: For an additional amount for Army transportation, fiscal year 1940, comprising the same objects specified under this head in the Military Appropriation Act for said fiscal year, \$3,384,559, and of such amount not to exceed \$650,000 may be expended for the purchase or construction of boats and other vessels,

Army transportation.

*Ante*, p. 601.

Boats, etc.

## Vehicles.

and not to exceed \$216,000 may be expended for the purchase of passenger-carrying automobiles, motorcycles, ambulances, and trucks of station-wagon type.

## MILITARY POSTS

## Construction, etc.

*Ante*, pp. 555, 1327.

## Procurement of transportation.

R. S. §§ 1136, 3734.  
10 U. S. C. § 1339; 40 U. S. C. § 267.

R. S. § 3709.  
41 U. S. C. § 5.  
Technical, etc., services.

## Contracts.

For construction and installation of buildings, flying fields, and appurtenances thereto, authorized by the Act entitled "An Act to provide more effectively for the national defense by carrying out the recommendations of the President in his message of January 12, 1939, to the Congress", approved April 3, 1939, including interior facilities, fixed equipment, necessary services, roads, connections to water, sewer, gas, and electric mains, purchase and installation of telephone and radio equipment, and similar improvements, and procurement of transportation incident thereto, without reference to sections 1136 and 3734, Revised Statutes (10 U. S. C. 1339; 40 U. S. C. 267); employment of personnel without regard to civil-service requirements and restrictions of law relating thereto; general overhead expenses of transportation, engineering, supplies, inspection and supervision, and such services as may be necessary in the Office of the Quartermaster General; and the engagement by contract or otherwise without regard to section 3709, Revised Statutes (41 U. S. C. 5), and at such rates of compensation as the Secretary of War may determine, of the services of architects or firms or corporations thereof and other technical and professional personnel as may be necessary, fiscal year 1940, \$64,862,500, to remain available until expended, and, in addition, the Quartermaster General, when authorized by the Secretary of War, may enter into contracts prior to July 1, 1940, for the same purposes, to an amount not in excess of \$21,337,500, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof.

## ACQUISITION OF LAND

## Panama, acquisition of land.

*Ante*, pp. 559, 1327.

For the acquisition of land in the Republic of Panama as authorized by the Act entitled "An Act to provide more effectively for the national defense by carrying out the recommendations of the President in his message of January 12, 1939, to the Congress", approved April 3, 1939, fiscal year 1940, \$400,000, to remain available until expended.

## BARRACKS AND QUARTERS AND OTHER BUILDINGS AND UTILITIES

## Construction, maintenance, etc.

*Ante*, p. 603.

For an additional amount for barracks and quarters and other buildings and utilities, fiscal year 1940, comprising the same objects specified under this head in the Military Appropriation Act for said fiscal year, \$3,461,159.

## CONSTRUCTION AND REPAIR OF HOSPITALS

## Construction, repair, etc.

*Ante*, p. 604.

For an additional amount for construction and repair of hospitals, fiscal year 1940, comprising the same objects specified under this head in the Military Appropriation Act for said fiscal year, \$288,300.

## SIGNAL CORPS

## SIGNAL SERVICE OF THE ARMY

## Signal service of the Army.

*Ante*, p. 604.

For an additional amount for signal service of the Army, fiscal year 1940, including the same objects specified under this head in the Military Appropriation Act for said fiscal year, \$6,074,564, and, in addition, the Chief Signal Officer, when authorized by the Secretary

of War, may enter into contracts prior to July 1, 1940, for the procurement of aircraft-communication equipment and ground radio and telephone facilities to an amount not in excess of \$1,160,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof.

Contracts for additional facilities.

## AIR CORPS

### AIR CORPS, ARMY

For an additional amount for Air Corps, Army, fiscal year 1940, comprising the same objects specified under this head in the Military Appropriation Act for said fiscal year, including maintenance and repair of aeronautical equipment loaned to aviation schools under the provisions of section 4 of the Act entitled "An Act to provide more effectively for the national defense by carrying out the recommendations of the President in his message of January 12, 1939, to the Congress", approved April 3, 1939, \$89,727,655: *Provided*, That not to exceed \$2,500,000 of such amount shall be available until June 30, 1941, for transportation to first destination of equipment procured hereunder, for salaries and travel of personnel in connection with the inspection of new aircraft, equipment, and accessories, and for the cost of tuition for training of Regular Army personnel at civilian educational institutions, under authority of sections 2 and 4 of said Act of April 3, 1939: *Provided further*, That \$27,000 of the amount herein appropriated shall be available exclusively for the engagement of personal services, by contract or otherwise, at such rates of compensation as the Secretary of War may determine, for preparing a comprehensive digest of the data which has been collected upon geographic, meteorologic, and weather conditions in northern latitudes pursuant to authority contained in the War Department Appropriation Act, fiscal year 1935: *Provided further*, That in addition to the amount herein appropriated the Chief of the Air Corps, when authorized by the Secretary of War, may enter into contracts prior to July 1, 1940, for the procurement of new airplanes, and for the procurement of equipment, spare parts, and accessories for airplanes to an amount not in excess of \$44,000,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof.

Designated purposes.

*Ante*, p. 605.

*Ante*, p. 556.  
*Provisos*.  
Transportation of equipment.

Inspection expenses.

Training at civilian educational institutions.  
*Ante*, p. 556.

Digest of data upon geographic, etc., conditions in northern latitudes.

48 Stat. 628.  
Contracts authorized.

## MEDICAL DEPARTMENT

### ARMY

#### MEDICAL AND HOSPITAL DEPARTMENT

For an additional amount for Medical and Hospital Department, fiscal year 1940, comprising the same objects specified under this head in the Military Appropriation Act for said fiscal year, \$1,375,399.

Supplies, etc.

*Ante*, p. 607.

## ORDNANCE DEPARTMENT

### ORDNANCE SERVICE AND SUPPLIES, ARMY

For an additional amount for ordnance service and supplies, Army, fiscal year 1940, comprising the same objects specified under this head in the Military Appropriation Act for said fiscal year, and including communication service in connection therewith, \$6,552,833, and, in addition, the Chief of Ordnance, when authorized by the Secretary of War, may enter into contracts prior to July 1, 1940, for ordnance service and supplies to an amount not in excess of

Ordnance service and supplies, Army.

*Ante*, p. 608.

Contracts authorized.

\$4,000,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof.

#### REPAIRS OF ARSENALS

Repairs of arsenals. For an additional amount for repairs of arsenals, fiscal year 1940, comprising the same objects specified under this head in the Military Appropriation Act for said fiscal year, and including provision for additional ordnance storage and loading facilities incident to the aviation-expansion program authorized by the Act approved April 3, 1939, \$1,059,000.

*Ante*, p. 609.  
*Ordnance storage and loading facilities.*  
*Ante*, p. 555.

#### CHEMICAL WARFARE SERVICE

Expenses. For an additional amount for Chemical Warfare Service, fiscal year 1940, comprising the same objects specified under this head in the Military Appropriation Act for said fiscal year, \$354,352.

*Ante*, p. 609.

#### SEACOAST DEFENSES

Expenses. The following amounts appropriated under title II, Second Deficiency Appropriation Act, fiscal year 1939, for seacoast defenses for the fiscal year 1939, shall remain available until June 30, 1940:

United States, \$2,072,893.  
 Insular departments, \$724,384.  
 Panama Canal, \$727,567.  
 In all, \$3,524,844.

*Ante*, p. 644.

#### NATIONAL GUARD

##### ARMING, EQUIPPING, AND TRAINING THE NATIONAL GUARD

Care of materials, animals, etc. For an additional amount for compensation of help for care of materials, animals, and equipment, fiscal year 1940, \$48,665: *Provided*, That during the fiscal year 1940 the number of caretakers authorized to be employed for any one heavier-than-air squadron under the provisions of section 90 of the National Defense Act of June 3, 1916, as amended, may be increased from thirteen to twenty-one.

*Ante*, p. 611.  
*Proviso.*  
 Caretakers, increase.

39 Stat. 205.  
 32 U. S. C. § 42;  
 Supp. IV, § 42.

General expenses, etc.

*Ante*, p. 611.  
 Travel, Army officers, etc.

*Ante*, p. 612.  
 Transportation of equipment.  
*Ante*, p. 612.  
 Army enlisted men, details.

*Ante*, p. 612.  
 Pay, armory drills.  
*Ante*, p. 612.  
 No pay to National Guard officer, etc., drawing pension.

For an additional amount for general expenses, equipment, and instruction, National Guard, fiscal year 1940, including the same objects specified under this head in the Military Appropriation Act for said fiscal year, \$47,892.

For an additional amount for travel of officers, warrant officers, and enlisted men of the Regular Army detailed to, or while on duty with, the National Guard, fiscal year 1940, comprising the same objects specified under this head in the Military Appropriation Act for said fiscal year, \$908.

For an additional amount for transportation of equipment and supplies, fiscal year 1940, \$15,663.

For an additional amount for expenses of enlisted men of the Regular Army on duty with the National Guard, fiscal year 1940, comprising the same objects specified under this head in the Military Appropriation Act for said fiscal year, \$1,624.

For an additional amount for pay of National Guard (armory drills), fiscal year 1940, \$90,935.

No part of the appropriations made in this Act shall be available for pay, allowances, or traveling or other expenses of any officer or enlisted man of the National Guard who may be drawing a pension, disability allowance, disability compensation, or retired pay (where retirement has been made on account of physical disability or age)

from the Government of the United States: *Provided*, That nothing in this provision shall be so construed as to prevent the application of funds herein contained to the pay, allowances, or traveling expenses of any officer or enlisted man of the National Guard who may surrender said pension, disability allowance, disability compensation, or retired pay for the period of his service in the National Guard: *Provided further*, That adjutants general who may be drawing such emoluments may be continued in a federally recognized status without pay under this Act.

*Proviso.*  
Surrender of pension.

Adjutants general,  
continuance in federally  
recognized status.

#### ARMS, UNIFORMS, EQUIPMENT, AND SO FORTH, FOR FIELD SERVICE, NATIONAL GUARD

For an additional amount for arms, uniforms, equipment, and so forth, for field service, National Guard, fiscal year 1940, including the same objects specified under this head in the Military Appropriation Act for said fiscal year, \$7,436,653, and all of the sums appropriated in this Act on account of the National Guard shall be accounted for as one fund.

Arms, uniforms,  
etc., for field service.

*Ante*, p. 612.

No appropriation contained in this Act shall be available for any expense for or on account of a larger number of mounted units and wagon companies of the National Guard than were in existence on June 30, 1932.

Mounted units, etc.,  
restriction.

#### ORGANIZED RESERVES

For an additional amount for Organized Reserves, fiscal year 1940, comprising the same objects specified under this head in the Military Appropriation Act for said fiscal year; and for all expenditures necessary for such Medical Department Reserve officers, Reserve chaplains, and Reserve officers of the Judge Advocate General's Department, as may be called to active duty under the provisions of section 5 of the Act approved April 3, 1939 (Public, Numbered 18, Seventy-sixth Congress), \$479,304: *Provided*, That funds available for Organized Reserves for the fiscal year 1940 may be expended for the pay of Reserve officers ordered to active duty for longer periods than fifteen days under the provisions of section 10 of said Act of April 3, 1939.

Pay and allowances.

*Ante*, p. 613.

*Ante*, p. 557.

*Proviso.*  
Reserve officers, active  
duty periods.

*Ante*, p. 559.

No appropriation made in this Act shall be available for pay, allowances, or traveling or other expenses of any officer of the Organized Reserves who may be drawing a pension, disability allowance, disability compensation, or retired pay from the Government of the United States: *Provided*, That nothing in this provision shall be so construed as to prevent the application of funds herein contained to the pay, allowances, or traveling expenses of any officer or enlisted man of the Reserve Corps who may surrender said pension, disability allowance, disability compensation, or retired pay for the period of his active duty in the Reserve Corps.

No pay to officer  
drawing pension.

*Proviso.*  
Surrender of pension.

#### NATIONAL BOARD FOR PROMOTION OF RIFLE PRACTICE, ARMY

The appropriations "Promotion of rifle practice, 1939", and "Promotion of rifle practice, 1940", shall be available for all purposes enumerated in section 113, National Defense Act, as amended, and in the Act of June 7, 1924 (43 Stat. 510), including incidental travel of rifle teams and individuals attending regional, national, and international competitions, and for the purchase of medals and badges for use in National Rifle Association competitions, including those fired as a part of the national matches.

SEC. 2. This Act may be cited as the "Supplemental Military Appropriation Act, 1940".

Approved, July 1, 1939.

Instruction expenses.  
52 Stat. 666; *ante*,  
p. 617.  
39 Stat. 211; 43  
Stat. 510.  
32 U. S. C. §§ 183, 186,  
181.

Short title.

## [CHAPTER 259]

## JOINT RESOLUTION

July 1, 1939  
[H. J. Res. 345]  
[Pub. Res., No. 25]

Providing an appropriation for the month of July 1939, for the Petroleum Conservation Division, Department of the Interior.

Petroleum Conservation Division, Interior Department.  
Appropriation for expenses, month of July 1939.

49 Stat. 30.  
15 U. S. C., Supp. IV, §§ 715-715f.

Attendance at meetings.

Printing and binding.

*Resolved by the Senate and the House of Representatives of the United States of America in Congress assembled,* That there is hereby appropriated out of any money in the Treasury not otherwise appropriated, the sum of \$20,000 for the month of July 1939, for administering and enforcing the provisions of the Act approved February 22, 1935 (49 Stat. 30), entitled "An Act to regulate interstate and foreign commerce in petroleum and its products by prohibiting the shipment in such commerce of petroleum and its products produced in violation of State law, and for other purposes", as amended, and to include necessary personal services in the District of Columbia and elsewhere without regard to the civil-service laws and regulations, traveling expenses, contract stenographic reporting services, rent, stationery, and office supplies, not to exceed \$500 for necessary expenses of attendance at meetings and conferences concerned with the work of petroleum conservation when authorized by the Secretary of the Interior, not to exceed \$2,500 for printing and binding, not to exceed \$100 for books and periodicals, and for the hire, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles.

Approved, July 1, 1939.

## [CHAPTER 260]

## AN ACT

July 6, 1939  
[H. R. 3325]  
[Public, No. 165]

To extend the time within which the powers relating to the stabilization fund and alteration of the weight of the dollar may be exercised.

Gold Reserve Act of 1934, amendments. Stabilization fund. Annual audit; report to Congress. 48 Stat. 341.  
31 U. S. C. § 822a.

50 Stat. 4.  
31 U. S. C., Supp. IV, § 822a.

Duration of emergency powers of President.

48 Stat. 52, 342; 50 Stat. 4.  
31 U. S. C. § 821; Supp. IV, § 821.  
Weight of gold dollar, etc.  
Specified powers of President defined.

Duration.

Coinage of domestic silver mined since July 1, 1939.

Seigniorage, etc., deductions.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subsection (a) of section 10 of the Gold Reserve Act of 1934, approved January 30, 1934, as amended, is further amended by striking out the period at the end of such subsection and adding thereto the words "and to the Congress."

SEC. 2. Subsection (c) of section 10 of the Gold Reserve Act of 1934, approved January 30, 1934, as amended, is further amended to read as follows:

"(c) All the powers conferred by this section shall expire June 30, 1941, unless the President shall sooner declare the existing emergency ended and the operation of the stabilization fund terminated."

SEC. 3. The second sentence added to paragraph (b) (2) of Section 43, title III, of the Act approved May 12, 1933, by section 12 of said Gold Reserve Act of 1934, as amended, is further amended to read as follows: "The powers of the President specified in this paragraph shall be deemed to be separate, distinct, and continuing powers, and may be exercised by him, from time to time, severally or together, whenever and as the expressed objects of this section in his judgment may require; except that such powers shall expire June 30, 1941, unless the President shall sooner declare the existing emergency ended."

SEC. 4. (a) Each United States coinage mint shall receive for coinage into standard silver dollars any silver which such mint, subject to regulations prescribed by the Secretary of the Treasury, is satisfied has been mined subsequently to July 1, 1939, from natural deposits in the United States or any place subject to the jurisdiction thereof.

(b) The Director of such mint with the consent of the owner shall deduct and retain of such silver so received 45 per centum as seign-

iorage for services performed by the Government of the United States relative to the coinage and delivery of silver dollars. The balance of such silver so received, that is 55 per centum, shall be coined into standard silver dollars and the same or any equal number of other standard silver dollars shall be delivered to the owner or depositor of such silver, and no provisions of law taxing transfers of silver shall extend or apply to any delivery of silver to a United States mint under this section. The 45 per centum of such silver so deducted shall be retained as bullion by the Treasury or coined into standard silver dollars and held or disposed of in the same manner as other bullion or silver dollars held in or belonging to the Treasury.

(c) The Secretary of the Treasury is authorized to prescribe regulations to carry out the purposes of this section. Such regulations shall contain provisions substantially similar to the provisions contained in the regulations issued pursuant to the Act of Congress approved April 23, 1918 (40 Stat. L., p. 535), known as the Pittman Act, with such changes as he shall determine prescribing how silver tendered to such mints shall be identified as having been produced from natural deposits in the United States or any places subject to its jurisdiction subsequent to July 1, 1939.

Approved, July 6, 1939.

Coinage of balance into standard silver dollars.

Delivery; tax exemption.

Disposition of amount deducted.

Regulations to be prescribed.

40 Stat. 535.

#### [CHAPTER 261]

#### JOINT RESOLUTION

Providing for the presentation through the American Minister to Greece of a certain monument to the people of Greece.

July 6, 1939  
[H. J. Res. 294]  
[Pub. Res., No. 26]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President is authorized and requested on behalf of the Order of the Sons of Pericles (the Junior Order of Ahepa), a national fraternity of youthful American citizens of Hellenic descent, to provide through the American Minister to Greece for the presentation to the people of Greece of the monument recently erected in the Garden of Heroes at Missolonghi, Greece, the shrine of Greek independence, as a tribute to and in commemoration of those patriotic Americans who, aided by the moral and material support and assistance of the entire American people, gave their services, their fortunes, and their lives to the cause of Greek independence in the Greek Revolutionary War of 1821.

Approved, July 6, 1939.

Greece.  
Presentation of certain monument to people of, authorized.

#### [CHAPTER 263]

#### AN ACT

To provide national flags for the burial of honorably discharged former service men and women.

July 11, 1939  
[H. R. 2310]  
[Public, No. 166]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That paragraph I, Veterans Regulations Numbered 9 (a), as amended (U. S. C., 1934 edition, title 38, ch. 12, appendix), be amended to read as follows:

"I. Where an honorably discharged veteran of any war, or a person honorably discharged from the United States Army, Navy, Marine Corps, or Coast Guard after serving at least one enlistment or for disability incurred in line of duty, dies after discharge, a flag to drape the casket shall be furnished in all cases; such flag to be given to the next of kin after burial of the veteran." *Provided*, That this amendment shall become effective on the date of enactment hereof.

Approved, July 11, 1939.

National flags for burial of honorably discharged veterans, etc.  
38 U. S. C. ch. 12, appendix.

*Proviso.*  
Effective date.



## [CHAPTER 264]

## AN ACT

July 12, 1939  
[H. R. 4674]

[Public, No. 167]

Monterey, Calif.  
Establishment of  
Coast Guard station  
authorized.

To provide for the establishment of a Coast Guard station at or near the city of Monterey, California.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized to establish a Coast Guard station on the Pacific coast at or in the vicinity of the city of Monterey, California, in such locality as the Commandant of the Coast Guard may recommend.

Approved, July 12, 1939.

## [CHAPTER 265]

## AN ACT

July 13, 1939  
[S. 1018]

[Public, No. 168]

War Department.  
Procurement of cer-  
tain aircraft parts, etc.,  
without advertising.

To authorize the procurement, without advertising, of certain aircraft parts and instruments or aeronautical accessories, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That whenever proposals are invited for the furnishing of aircraft parts or instruments or aeronautical accessories for the War Department, the character of which or the ingredients thereof are of such a nature that the interests of the public service would be injured by publicly divulging them, the Chief of the Air Corps is authorized to purchase, without advertising, such aircraft parts or instruments or aeronautical accessories in such manner as he may deem most economical and efficient: *Provided,* That this Act will not be construed as in any way amending the Act of July 2, 1926 (44 Stat. 780), or as authorizing the open market purchase of airplanes for purposes other than as provided in that Act: *and provided further,* That no purchase shall be made under this Act until the Secretary of War shall have certified that a secret order is necessary, and only then after submitting the proposal to three reputable concerns for their respective bids. All laws and parts of laws which are inconsistent herewith or in conflict with the provisions hereof are hereby repealed.

Approved, July 13, 1939.

Provisos.  
Existing provisions  
not affected.  
44 Stat. 780.

Restriction.

Inconsistent laws,  
etc., repealed.

## [CHAPTER 266]

## AN ACT

July 14, 1939  
[S. 884]

[Public, No. 169]

United States dis-  
bursing officers, etc.  
Credit allowed in  
accounts, etc.; air-  
plane travel.

For the relief of disbursing officers and other officers and employees of the United States for disallowances and charges on account of airplane travel.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Comptroller General of the United States be, and he is hereby, authorized and directed to allow credit in the accounts of disbursing officers of the United States, to remove charges raised against officers and employees of the United States, and to refund to such officers and employees upon application amounts collected from them, representing the excess in cost of airplane transportation used by such officers and employees on official business prior to December 10, 1935, as compared with the cost by rail: *Provided,* That action as herein provided shall be taken only when the head of the department or establishment shall certify that the use of airplane transportation was necessary in the interest of the United States: *Provided further,* That in cases of refunds there shall be charged the appropriations to which the collections were credited, and the amounts found due certified for payment in the usual manner.

Approved, July 14, 1939.

Period.  
Provisos.  
Certificate of neces-  
sity.

Charge of refunds  
to appropriate appro-  
priation.

## [CHAPTER 267]

## AN ACT

To provide for the status of warrant officers and of enlisted men of the Regular Army who serve as commissioned officers.

July 14, 1939  
[S. 1181]  
[Public, No. 170]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That hereafter any warrant officer or enlisted man of the Regular Army who shall serve on active duty as a Reserve officer of the Army of the United States or who shall be discharged to accept a commission in the Army of the United States and whose active service as a commissioned officer shall terminate honorably, shall be entitled, without regard to any physical disqualification incurred, or having its inception, while on active duty in line of duty, to reappointment as warrant officer or to reenlistment in the grade held prior to such commissioned service, without loss of service or seniority and without regard to whether a vacancy exists in the grade of warrant officer or in the appropriate enlisted grade: *Provided*, That application for reappointment or reenlistment shall be made within six months after the termination of such commissioned service in each case: *Provided further*, That warrant officers and enlisted men of the Regular Army shall be entitled to count active commissioned service in the Army of the United States as warrant or enlisted service for all purposes.

Regular Army.  
Warrant officers and enlisted men of, service as commissioned officers; status.

*Provisos.*  
Time limitation on application.

Service credits.

SEC. 2. The Act approved March 30, 1918 (40 Stat. 501), is hereby repealed.

Act repealed.  
40 Stat. 501.  
10 U. S. C. §§ 631, 955.

Approved, July 14, 1939.

## [CHAPTER 268]

## AN ACT

Authorizing the Secretary of War to grant a revocable license to the Union Pacific Railroad Company to maintain certain railroad trackage on the Fort Leavenworth Military Reservation.

July 14, 1939  
[S. 1307]  
[Public, No. 171]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War (hereinafter referred to as the Secretary) is authorized to grant to the Union Pacific Railroad Company and its successors in interest a license to maintain, operate, repair, renew, and reconstruct, at its own expense, upon the Fort Leavenworth Military Reservation such railroad trackage as, in the opinion of the Secretary, will not conflict with the use of such reservation for any governmental purpose: *Provided, however*, That nothing herein, or in such license, shall be construed as relieving said railroad company of compliance with any of the provisions of the Interstate Commerce Act, as amended, or as it may hereafter be amended. Any license so granted shall (1) be revocable at the will of the Secretary, (2) provide that the Secretary may, in lieu of revoking such license, require the grantee to relocate any such trackage for the purpose of preventing such trackage from interfering with the use of such reservation for governmental purposes, and (3) provide that the privileges granted thereby shall be exercised subject to such rules and regulations as the Secretary, or the commanding officer at such reservation with the approval of the Secretary, may prescribe in the interests of maintenance of good order, sanitation, discipline, public safety, and the interests of the United States.

Fort Leavenworth Military Reservation, Kans.  
License to Union Pacific Railroad Co., to maintain certain trackage on, authorized.

*Proviso.*  
Subject to Interstate Commerce Act.

Revocation.  
Relocation of trackage.

Privileges granted subject to regulations.

Approved, July 14, 1939.

## [CHAPTER 269]

## AN ACT

To provide for a Deputy Chief of Staff, and for other purposes.

July 14, 1939  
[S. 2222]  
[Public, No. 172]

National Defense Act, amendments.  
39 Stat. 167; 52 Stat. 610.  
10 U.S.C. § 23; Supp. IV, § 23.  
General Staff Corps, Army.  
Deputy Chief of Staff provided, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the first paragraph of section 5 of the National Defense Act of June 3, 1916 (39 Stat. 166), as amended by the Act of June 3, 1938 (52 Stat. 610), be, and the same is hereby, amended by inserting in line 4 of said paragraph, after the words "Chief of Staff", a comma followed by the words "the Deputy Chief of Staff" and a comma; by striking out the word "four" appearing in line 4 of said paragraph and inserting in lieu thereof the word "five"; and by striking out the word "eighty-eight" in line 6 of said paragraph and inserting in lieu thereof the words "one hundred and two".

Approved, July 14, 1939.

## [CHAPTER 270]

## AN ACT

To amend the Taylor Grazing Act.

July 14, 1939  
[S. 2237]  
[Public, No. 173]

Taylor Grazing Act, amendments.  
48 Stat. 1269.  
43 U. S. C. §§ 315-315n; Supp. IV, §§ 315-315o.

Advisory board of local stockmen, establishment in each grazing district.

Composition of board; appointment of wildlife representatives.

Recommendations for appointment.

Qualifying provisions of district advisers.

Removals.

Board meetings, functions, duties, etc.

*Provido.*  
Participation in recommendation concerning permit in which member interested.  
Recommendations concerning rules and regulations.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act entitled "An Act to stop injury to the public grazing lands by preventing overgrazing and soil deterioration, to provide for their orderly use, improvement, and development, to stabilize the livestock industry dependent upon the public range, and for other purposes", approved June 28, 1934, as amended, is amended by adding at the end thereof the following new section:

"SEC. 18. (a) In order that the Secretary of the Interior may have the benefit of the fullest information and advice concerning physical, economic, and other local conditions in the several grazing districts, there shall be an advisory board of local stockmen in each such district, the members of which shall be known as grazing district advisers. Each such board shall consist of not less than five nor more than twelve members, exclusive of wildlife representatives, one such representative to be appointed by the Secretary, in his discretion, to membership on each such board. Except for such wildlife representatives, the names of the members of each district advisory board shall be recommended to the Secretary by the users of the range in that district through an election conducted under rules and regulations prescribed by the Secretary. No grazing district adviser so recommended, however, shall assume office until he has been appointed by the Secretary and has taken an oath of office. The Secretary may, after due notice, remove any grazing district adviser from office if in his opinion such removal would be for the good of the service.

"(b) Each district advisory board shall meet at least once annually at a time to be fixed by the Director of Grazing, or by such other officer to whom the Secretary may delegate the function of issuing grazing permits, and at such other times as its members may be called by such officer. Each board shall offer advice and make a recommendation on each application for such a grazing permit within its district: *Provided*, That in no case shall any grazing district adviser participate in any advice or recommendation concerning a permit, or an application therefor, in which he is directly or indirectly interested. Each board shall further offer advice or make recommendations concerning rules and regulations for the administration of this Act, the establishment of grazing districts and the modification of

the boundaries thereof, the seasons of use and carrying capacity of the range, and any other matters affecting the administration of this Act within the district. Except in a case where in the judgment of the Secretary an emergency shall exist, the Secretary shall request the advice of the advisory board in advance of the promulgation of any rules and regulations affecting the district."

Approved, July 14, 1939.

## [CHAPTER 271]

## AN ACT

To authorize appropriation for the construction of a medical school building at Carlisle Barracks, Pennsylvania.

July 14, 1939  
[S. 2353]  
[Public, No. 174]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby authorized to be appropriated not to exceed \$375,000 to be expended for the construction, rehabilitation, and installation at Carlisle Barracks, Pennsylvania, of a medical field service school, and such utilities and appurtenances thereto as may be necessary.

Approved, July 14, 1939.

Carlisle Barracks,  
Pa.  
Appropriation authorized for medical school building construction, etc.

## [CHAPTER 272]

## AN ACT

To prescribe rules for the enrollment of Menominee Indian children born to enrolled parents, and for other purposes.

July 14, 1939  
[H. R. 4497]  
[Public, No. 175]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, regardless of the Act of June 15, 1934 (48 Stat. L. 965), upon receipt of proper birth certificates the names of unenrolled living Menominee Indian children born prior to that date of an enrolled parent or parents residing on the reservation at the time of their birth, and the names of children born thereafter otherwise qualified under section 4 of said Act but irrespective of the derivation of their Menominee blood, shall be automatically placed upon the official roll approved on December 27, 1935; and such children shall be entitled to participate in any tribal payments made between the time of their birth and enrollment.

SEC. 2. The Secretary of the Interior is hereby authorized and directed on or before June 30, 1941, to investigate and determine the correct degree of Menominee Indian blood of every person whose name appears on the basic official roll as originally approved December 27, 1935. The determination made by the Secretary of the Interior shall be final and conclusive for enrollment purposes under the Act of June 15, 1934, as modified herein, and any changes necessary to conform to such determination shall be made in the appropriate column of said roll.

Approved, July 14, 1939.

Menominee Indians.  
Enrollment of children of enrolled parents.  
48 Stat. 965.

Participation in tribal payments.

Determination of blood degree.

## [CHAPTER 273]

## JOINT RESOLUTION

Authorizing the President to invite foreign countries to participate in the San Diego-Cabrillo Quadricentennial Celebration, to be held in 1942.

July 14, 1939  
[S. J. Res. 124]  
[Pub. Res., No. 27]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President is authorized to invite by proclamation, or in such other manner as he may deem proper, foreign countries to send naval (or merchant) vessels to San Diego, California, to participate in the San Diego-

San Diego-Cabrillo Quadricentennial Celebration, 1942.  
President authorized to invite foreign countries to participate.

Cabrillo Quadricentennial Celebration, to be held in 1942, in commemoration of the discovery of California and the West Coast of the United States by Juan Rodriguez Cabrillo, a native of Portugal, who, while in the service of the King of Spain, entered San Diego Harbor on September 28, 1542.

Approved, July 14, 1939.

## [CHAPTER 281]

## AN ACT

July 15, 1939  
[H. R. 6610]  
[Public, No. 176]

Making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1940, and for other purposes.

District of Columbia.  
Appropriations for expenses of fiscal year 1940, from District revenues and \$6,000,000 from the Treasury.

Effective date.

Validation of administrative acts.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to defray the expenses of the District of Columbia for the fiscal year ending June 30, 1940, any revenue (not including the proportionate share of the United States in any revenue arising as the result of the expenditure of appropriations made for the fiscal year 1924 and prior fiscal years) now required by law to be credited to the District of Columbia and the United States in the same proportion that each contributed to the activity or source from whence such revenue was derived shall be credited wholly to the District of Columbia, and, in addition, \$6,000,000 is appropriated, out of any money in the Treasury not otherwise appropriated, to be advanced July 1, 1939, and all of the remainder out of the combined revenues of the District of Columbia, and this Act shall be effective as of July 1, 1939, and any appropriations and authority contained herein shall have the same force and effect between June 30, 1939, and the date of the enactment of this Act as though the same had become law on July 1, 1939; and the acts of any officer or employee performed during such period in anticipation of the appropriations or authority contained herein shall not be invalidated, declared ineffective, or questioned solely because of the lack of such appropriations or authority during such period, namely:

## GENERAL EXPENSES

## EXECUTIVE OFFICE

Personal services.  
Additional, for Engineer Commissioner.

*Prorisos.*  
Salaries limited to average rates under Classification Act; exceptions.

5 U. S. C. §§ 661-674;  
Supp. IV, §§ 673, 673c.

If only one position in a grade.

Advances in meritorious cases.

For personal services, \$48,600, plus so much as may be necessary to compensate the Engineer Commissioner at such rate in grade 8 of the professional and scientific service of the Classification Act of 1923, as amended, as may be determined by the Board of Commissioners: *Provided*, That in expending appropriations or portions of appropriations contained in this Act for the payment of personal services in accordance with the Classification Act of 1923, as amended, with the exception of the two civilian Commissioners, the average of the salaries of the total number of persons under any grade in any bureau, office, or other appropriation unit shall not at any time exceed the average of the compensation rates specified for the grade by such Act, as amended, and in grades in which only one position is allocated the salary of such position shall not exceed the average of the compensation rates for the grade, except that in unusually meritorious cases of one position in a grade advances may be made to rates higher than the average of the compensation rates of the grade, but not more often than once in any fiscal year and then only to the next higher

rate: *Provided further*, That this restriction shall not apply (1) to grades 1, 2, 3, and 4 of the clerical-mechanical service; (2) to require the reduction in salary of any person whose compensation was fixed, as of July 1, 1924, in accordance with the rules of section 6 of such Act; (3) to require the reduction in salary of any person who is transferred from one position to another position in the same or different grade in the same or a different bureau, office, or other appropriation unit; (4) to prevent the payment of a salary under any grade at a rate higher than the maximum rate of the grade when such higher rate is permitted by the Classification Act of 1923, as amended, and is specifically authorized by other law; or (5) to reduce the compensation of any person in a grade in which only one position is allocated.

Purchasing division: For personal services, \$56,960.

Department of inspections: For personal services, \$249,960, including two members of plumbing board at \$150 each, and two members, board of examiners, steam engineers, at \$150 each, the inspector of boilers to serve without additional compensation.

Office of Poundmaster: For personal services in accordance with the Classification Act of 1923, as amended, maintenance and operation of motor vehicles, and other necessary expenses, \$10,790.

Restriction not applicable to certain grades of clerical-mechanical service.

No reduction in fixed salaries.

42 Stat. 1490.

5 U. S. C. § 666.

Transfer without reduction.

Higher rates permitted.

If only one position in a grade.

Purchasing division.  
Department of inspections.

Office of Poundmaster.

#### PUBLIC CONVENIENCE STATIONS

For maintenance of public convenience stations, including compensation of necessary employees, \$14,000.

Maintenance.

#### CARE OF THE DISTRICT BUILDINGS

For personal services, including temporary labor, and service of cleaners as necessary at not to exceed 48 cents per hour, \$135,140: *Provided*, That no other appropriation made in this Act shall be available for the employment of additional assistant engineers or watchmen for the care of the District buildings.

For fuel, light, and power, repairs, laundry, and miscellaneous supplies, \$52,080.

Personal services.

*Provided*.  
Additional assistant engineers or watchmen.

Fuel, light, etc.

#### ASSESSOR'S OFFICE

For personal services, \$254,480.

For office equipment, supplies, and labor-saving office devices, to be immediately available, \$28,640.

Personal services.  
Equipment, supplies, etc.

#### BOARD OF TAX APPEALS

For personal services in accordance with title IX of the Act entitled "An Act to amend the District of Columbia Revenue Act of 1937, and for other purposes", approved May 16, 1938, \$13,540.

Personal services.  
52 Stat. 370.

#### COLLECTOR'S OFFICE

For personal services, \$55,740, of which \$2,600 shall be immediately available.

Personal services.

#### AUDITOR'S OFFICE

For personal services, \$158,400, of which not exceeding \$500 shall be immediately available; and the compensation of the present incumbent of the position of disbursing officer of the District of Columbia shall be exclusive of his compensation as United States property and disbursing officer for the National Guard of the District of Columbia.

Personal services.  
Disbursing officer permitted other compensation.

## OFFICE OF CORPORATION COUNSEL

Corporation counsel;  
extra pay.  
Personal services.

Corporation counsel, including extra compensation as general counsel of the Public Utilities Commission, and other personal services, including one clerk at \$1,800 per annum to be appointed without civil-service requirements, \$122,440.

## ALCOHOLIC BEVERAGE CONTROL BOARD

Personal services  
and expenses.

For personal services, streetcar and bus transportation, telephone service, not exceeding \$1,000 for the purchase of samples, not exceeding \$100 for witness fees, and not less than \$8,000 for beverage tax stamps, and other necessary contingent and miscellaneous expenses, \$44,580.

## CORONER'S OFFICE

Personal services.  
5 U. S. C. §§ 661-  
674; Supp. IV, §§ 673,  
673c.  
Morgue, etc., ex-  
penses.

For personal services, including deputy coroners, in accordance with the Classification Act of 1923, as amended, \$13,180.

For the maintenance of a non-passenger-carrying motor wagon for the morgue, jurors' fees, witnesses' fees, ice, disinfectants, telephone service, and other necessary supplies, repairs to the morgue, and the necessary expenses of holding inquests, including stenographic services in taking testimony and photographing unidentified bodies, \$4,700.

## OFFICE OF SUPERINTENDENT OF WEIGHTS, MEASURES, AND MARKETS

Personal services.  
Contingent ex-  
penses.

For personal services, \$58,460.

Weights, measures, and markets, expenses: For contingent expenses, and maintenance and repairs to markets, including not to exceed \$1,000 for purchase of commodities and for personal services in connection with investigation and detection of sales of short weight and measure, maintenance and repair of motor vehicles, and not exceeding \$750 for the purchase, including exchange, of one motor vehicle equipped for making investigations of sales of gasoline and oil by short measure, \$23,875, of which amount \$7,500 shall be available for testing and inspection of gasoline and other petroleum products, and \$6,700 shall be available for repairs to and replacement of electrical work at the Municipal Fish Wharf and Market.

Vehicles.

Gasoline, etc., test-  
ing and inspection.

## OFFICE OF CHIEF CLERK, ENGINEER DEPARTMENT

Personal services.  
Safety inspector.

For personal services, \$32,340, including \$2,600 for the employment of one safety inspector.

## MUNICIPAL ARCHITECT'S OFFICE

Personal services.  
5 U. S. C. §§ 661-674;  
Supp. IV, §§ 673, 673c.

For personal services, \$65,080, of which \$7,200 shall be available without reference to the Classification Act of 1923, as amended, and civil-service requirements, for the employment of one chief engineering inspector, and one engineering examiner and computer.

Apportionment of  
appropriations.

All apportionments of appropriations for the use of the municipal architect in payment of personal services employed on construction work provided for by said appropriations shall be based on an amount not exceeding 3 per centum of a total of not more than \$2,000,000 of appropriations made for such construction projects and not exceeding  $2\frac{3}{4}$  per centum of a total of the appropriations in excess of \$2,000,000, and appropriations specifically made in this Act for the preparation of plans and specifications shall be deducted from any allowances authorized under this paragraph: *Provided*, That reimbursements may be made to this fund from appropriations contained in this Act for services rendered other activities of the District Government, without reference to fiscal-year limitations on such appropriations.

*Proviso.*  
Reimbursements.

## PUBLIC UTILITIES COMMISSION

For two commissioners, and for other personal services, \$70,420.

For incidental and all other general necessary expenses authorized by law, including the purchase of newspapers, \$1,500.

No part of the appropriations contained in this Act shall be used for or in connection with the preparation, issuance, publication, or enforcement of any regulation or order of the Public Utilities Commission requiring the installation of meters in taxicabs, or for or in connection with the licensing of any vehicle to be operated as a taxicab except for operation in accordance with such system of uniform zones and rates and regulations applicable thereto as shall have been prescribed by the Public Utilities Commission.

Commissioners, etc.  
Incidental, etc., expenses.

Issuance, etc., of orders requiring meters on taxicabs.

## DEPARTMENT OF INSURANCE

For personal services, \$28,900.

Personal services.

## SURVEYOR'S OFFICE

For personal services, \$80,820.

Personal services.

## MINIMUM WAGE BOARD

For personal services, \$15,380.

Personal services.

## ZONING COMMISSION

For salaries and expenses necessary for the administration of the Act entitled "An Act providing for the zoning of the District of Columbia and the regulation of the location, height, bulk, and uses of buildings and other structures and of the uses of land in the District of Columbia, and for other purposes", approved June 20, 1938, \$10,760.

Salaries and expenses.

52 Stat. 797.

Commission on Mental Health, District of Columbia: For compensation of members of the Commission on Mental Health of the District of Columbia, and other personal services, including payment of witness fees and mileage, \$22,320: *Provided*, That the salary of the executive secretary shall be at the rate of \$3,000 per annum.

Commission on Mental Health.

*Proriso.*  
Executive secretary, salary.

## DISTRICT OF COLUMBIA EMPLOYEES' COMPENSATION FUND

For carrying out the provisions of section 11 of the District of Columbia Appropriation Act approved July 11, 1919, extending to the employees of the government of the District of Columbia the provisions of the Act entitled "An Act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes", approved September 7, 1916, \$50,000.

Payments for injuries.  
41 Stat. 104.

39 Stat. 742.  
5 U. S. C. §§ 751-793.

Administrative expenses, compensation to injured employees in the District of Columbia: For the enforcement of the Act entitled "An Act to provide compensation for disability or death resulting from injury to employees in certain employments in the District of Columbia, and for other purposes", approved May 17, 1928 (45 Stat. 600), \$65,900, for transfer to and expenditure by the Employees' Compensation Commission under its appropriations "Salaries and expenses", \$65,600, and "Printing and binding", \$300.

Administrative expenses.

45 Stat. 600.  
Transfer to Commission.

For financing of the liability of the government of the District of Columbia, created by the Act entitled "An Act for the retirement of employees in the classified civil service, and for other purposes", approved May 22, 1920, and Acts amendatory thereof (5 U. S. C. 707a), \$842,760, which amount shall be placed to the credit of the "civil service retirement and disability fund".

Retirement Act; contribution from District revenues.

5 U. S. C. ch. 14; Supp. IV, ch. 14.



## REGISTER OF WILLS

Personal services.  
Contingent ex-  
penses.

For personal services, \$78,020.

For miscellaneous and contingent expenses, telephone bills, printing, contract statistical services, typewriters, photostat paper and supplies, including laboratory coats and photographic developing-room equipment, towels, towel service, window washing, streetcar tokens, furniture and equipment and repairs thereto, and purchase of books of reference, law books, and periodicals, \$13,120.

## RECORDER OF DEEDS

Personal services.  
Contingent ex-  
penses.

For personal services, \$112,920.

For miscellaneous and contingent expenses, including telephone service, printing, binding, rebinding, repairing, and preservation of records; typewriters, towels, towel service, furniture and equipment and repairs thereto; books of reference, law books and periodicals, streetcar tokens, postage; not exceeding \$100 for rest room for sick and injured employees and the equipment of and medical supplies for said rest room, and all other necessary incidental expenses, \$14,400.

Rent.  
*Post*, p. 1041.

For rent of offices of the recorder of deeds, \$15,000, to be expended without reference to the provisions of section 6 of this Act.

## CONTINGENT AND MISCELLANEOUS EXPENSES

Objects specified.  
*Post*, p. 1308.

For checks, books, law books, books of reference, including \$1,500 for law books and books of reference for the Corporation Counsel's office, periodicals, newspapers, stationery; surveying instruments and implements; drawing materials; binding, rebinding, repairing, and preservation of records; ice; traveling expenses not to exceed \$3,000; including payment of dues and traveling expenses in attending conventions when authorized by the Commissioners of the District of Columbia; expenses authorized by law in connection with the removal of dangerous or unsafe and insanitary buildings, including payment of a fee of \$6 per diem to each member of board of survey, other than the inspector of buildings, while actually employed on surveys of dangerous or unsafe buildings; not exceeding \$3,000 for the settlement of claims not in excess of \$250 each, approved by the Commissioners under and in accordance with the provisions of the Act entitled "An Act authorizing the Commissioners of the District of Columbia to settle claims and suits against the District of Columbia", approved February 11, 1929 (45 Stat. 1160), as amended by the Act approved June 5, 1930 (46 Stat. 500); not to exceed \$250 to aid in support of the national conference of commissioners on uniform State laws; not exceeding \$2,513 as final payment for the investigation of public relief in the District of Columbia, to be immediately available; and other general necessary expenses of District offices, \$37,943: *Provided*, That no part of this or any other appropriation contained in this Act shall be expended for printing or binding a schedule or list of supplies and materials for the furnishing of which contracts have been or may be awarded.

45 Stat. 1160; 46  
Stat. 500.  
Conference of com-  
missioners on uniform  
State laws.  
Investigation of  
public relief.

*Proviso*.  
Printing, etc., list  
of supplies.

Postage.  
*Post*, p. 1308.

Judicial expenses.

*Provisos*.  
Stenographic report-  
ing services.

For postage for strictly official mail matter, including the rental of postage-meter equipment, \$27,200.

For judicial expenses, including witness fees, and expert services in District of Columbia cases before the District Court of the United States for the District of Columbia, \$1,500: *Provided*, That the Commissioners of the District of Columbia are authorized, when in their judgment such action be deemed in the public interest, to contract for stenographic reporting services without regard to section

3709 of the Revised Statutes (41 U. S. C. 5) under available appropriations contained in this Act: *Provided further*, That neither the District of Columbia nor any officer thereof acting in his official capacity for the District of Columbia shall be required to pay court costs to the clerk of the District Court of the United States for the District of Columbia.

For general advertising, authorized and required by law, and for tax and school notices and notices of changes in regulations, \$9,000: *Provided*, That this appropriation shall not be available for the payment of advertising in newspapers published outside of the District of Columbia, notwithstanding the requirement for such advertising provided by existing law.

For advertising notice of taxes in arrears July 1, 1939, as required to be given by the Act of February 28, 1898, as amended, to be reimbursed by a charge of 50 cents for each lot or piece of property advertised, \$4,500: *Provided*, That this appropriation shall not be available for the payment of advertising the delinquent tax list for more than once a week for two weeks in the regular issue of one morning or one evening newspaper published in the District of Columbia, notwithstanding the provisions of existing law.

For printing and binding, \$53,300: *Provided*, That no part of the appropriation contained in this Act shall be available for expenditure for printing and binding unless the need for such expenditure shall have been specifically approved by the Commissioners of the District of Columbia, or by the purchasing officer and the auditor for the District of Columbia acting for such Commissioners.

For the use of the Senate and House Committees on the District of Columbia, acting jointly or separately as the chairmen of the two committees may decide, to pay for technical counsel and for bill drafting, statistical, and other assistance in connection with legislation for the revision of the organization of the District of Columbia and for extra services performed in the making of sundry investigations and examinations and the drafting of proposals for the revision of the organization of the District of Columbia, to be expended without reference to the Classification Act of 1923, as amended, and the provisions of section 3709 of the Revised Statutes of the United States (41 U. S. C. 5), \$12,500, to be immediately available: *Provided*, That the foregoing appropriation shall be for payment in full for all services heretofore or hereafter rendered in connection with the study for the revision of the organization of the District of Columbia.

#### CENTRAL GARAGE

For maintenance, care, repair, and operation of passenger-carrying automobiles owned by the District of Columbia, including personal services, \$62,560; for purchase (including exchange) of passenger-carrying automobiles, \$10,000; and for purchase (including exchange) of three passenger-carrying automobiles for the executive office, \$5,400; and purchase of one passenger-carrying automobile for the auditor's office, \$900; in all, \$78,860.

For allowances for furnishing privately owned motor vehicles in the performance of official duties at a rate of not to exceed \$264 per year for each automobile, \$10,296: *Provided*, That allowances under this appropriation shall be made only to persons whose duties require full-time field service.

All motor-propelled passenger-carrying vehicles owned by the District of Columbia shall be used exclusively for "official purposes" directly pertaining to the public services of said District, and shall be under the direction and control of the Commissioners, who may

R. S. § 3709.  
41 U. S. C. § 5.  
No court costs, etc.,  
in District Court for  
D. C. required.

General advertising.

*Proviso.*  
Advertising outside  
D. C.

Taxes in arrears.  
30 Stat. 250.  
20 D. C. Code, §§  
791-798; Supp. IV, §§  
791-798.  
*Proviso.*  
Advertising of delinquent tax list in local newspapers.

Printing and binding.  
Post, p. 1308.  
*Proviso.*  
Approval of requisitions.

Revision of D. C. organization, technical services, etc.

5 U. S. C. §§ 661-674; Supp. IV, §§ 673, 673c.

*Proviso.*  
Payment in full for services rendered.

Automobiles, maintenance, etc.

Private vehicle allowances.

*Proviso.*  
Restriction.

Use of District-owned vehicles restricted.

Transportation between domicile and place of employment.

*Proviso.*  
Cost limitation.

Transfers forbidden.

Fire insurance premiums.

Streetcar and bus fares.

*Provisos.*  
Limitation on expenditures.

Fire and police departments excepted.

from time to time alter or change the assignment for use thereof or direct the joint or interchangeable use of any of the same by officials and employees of the District, except as otherwise provided in this Act; and "official purposes" shall not include the transportation of officers and employees between their domiciles and places of employment, except as to the Commissioners of the District of Columbia and in cases of officers and employees the character of whose duties makes such transportation necessary, and then only as to such latter cases when the same is approved by the Commissioners: *Provided*, That no passenger-carrying automobile, except busses, station wagons, patrol wagons, and ambulances, and except as otherwise specifically authorized in this Act, shall be acquired under any provision of this Act, by purchase or exchange, at a cost, including the value of a vehicle exchanged, exceeding \$650. No motor vehicles shall be transferred from the police or fire departments to any other branch of the government of the District of Columbia.

Appropriations in this Act shall not be used for the payment of premiums or other cost of fire insurance.

The Commissioners are authorized, in their discretion, to furnish necessary transportation in connection with strictly official business of the District of Columbia by the purchase of streetcar and bus fares from appropriations contained in this Act: *Provided*, That the expenditures herein authorized shall be so apportioned as not to exceed a total of \$11,100: *Provided further*, That the provisions of this paragraph shall not include the appropriations herein made for the fire and police departments.

#### EMPLOYMENT SERVICE

Personal services, etc.

For personal services and miscellaneous and contingent expenses required for maintaining a public employment service for the District of Columbia, \$4,640.

#### EMERGENCY FUND

Emergency expenditures.

*Proviso.*  
Voucher for expenditure.

To be expended in case of emergency, such as riot, pestilence, public insanitary conditions, calamity by flood, or fire, or storm, and of like character, and for other purposes, in the discretion of the Commissioners, \$3,500, of which sum \$1,000 shall be immediately available: *Provided*, That the certificate of the Commissioners shall be sufficient voucher for the expenditure of this appropriation for such purposes as they may deem necessary.

#### REFUND OF ERRONEOUS COLLECTIONS

Payments authorized.

Building permits.  
36 Stat. 967.

*Proviso.*  
Availability.

To enable the Commissioners, in any case where taxes, special assessments, school-tuition charges, payments for lost library books, rents, fines, fees, or collections of any character have been erroneously covered into the Treasury to the credit of the general revenues of the District of Columbia, to refund such erroneous payments, wholly or in part, including the refunding of fees paid for building permits authorized by the District of Columbia Appropriation Act approved March 2, 1911 (36 Stat. 967), \$65,000: *Provided*, That this appropriation shall be available for such refunds of payments made within the past three years.

#### WHARVES

Reconstruction, maintenance, etc.

For reconstruction, where necessary, and for maintenance and repair of wharves under the control of the Commissioners of the District of Columbia, in the Washington Channel of the Potomac River, \$2,000.

## REPAYMENT OF LOAN FROM PUBLIC WORKS ADMINISTRATION

For reimbursement to the United States, in compliance with section 3 of the Act approved June 25, 1934 (48 Stat. 1215), of funds loaned under the authority of said Act, \$462,500: *Provided*, That during the fiscal year 1940 no greater sum shall be deposited in the Treasury of the United States to the credit of the special account established under section 3 of said Act than is required by said section for reimbursement to the United States.

Payment of interest on loan by Federal Emergency Administration of Public Works: For payment to the United States, in compliance with section 3 of the Act approved June 25, 1934 (48 Stat. 1215), of interest on funds loaned under the authority of said Act, \$15,277.

Reimbursement.  
48 Stat. 1215.

*Proviso.*  
Amount of deposit,  
1940.

Interest.

48 Stat. 1215.

## FREE PUBLIC LIBRARY

For personal services, and for substitutes and other special and temporary services, including extra services on Sundays, holidays, and Saturday half holidays, at the discretion of the librarian, \$412,830.

Miscellaneous: For books, periodicals, newspapers, and other printed material, including payment in advance for subscription books, and society publications, including not exceeding \$300 for music records and sound recordings, \$65,000: *Provided*, That the disbursing officer of the District of Columbia is authorized to advance to the librarian of the Free Public Library, upon requisition previously approved by the auditor of the District of Columbia, sums of money not exceeding \$25 at the first of each month, to be expended for the purchase of certain books, pamphlets, numbers of periodicals or newspapers, or other printed material, and to be accounted for on itemized vouchers.

For binding, including necessary personal services, \$20,000.

For maintenance, alterations, repairs, fuel, lighting, fitting up buildings, care of grounds, maintenance of motor delivery vehicles, and other contingent expenses, \$44,000.

For rent of suitable quarters for branch libraries in Chevy Chase and Woodridge, \$5,760.

Not to exceed \$350,000 of the unexpended balance of the appropriation of \$500,000 contained in the District of Columbia Appropriation Act for the fiscal year 1939 for beginning the construction in square 533 of the first unit of an extensible building for the government of the District of Columbia is hereby reappropriated and made available for beginning the construction in square 491 of the first unit of an extensible library building, including quarters for the administrative offices of the Board of Education and the Commissioners are authorized to enter into contract or contracts for the construction of such first unit at a total cost, including improvement of grounds and all necessary furniture and equipment, not to exceed \$1,118,000: *Provided*, That not to exceed \$40,000 of the said sum of \$350,000, together with the unexpended balance of the appropriation of \$60,000 contained in such Act for the preparation of plans and specifications for a library building to be constructed on square 491, which is continued available for the same purpose in the fiscal year 1940, shall be immediately available for the preparation of plans and specifications, and for the employment of professional and other services without reference to the Classification Act of 1923, as amended, section 3709 of the Revised Statutes, and civil-service requirements, and for other necessary expenses, and the Procurement Division of the Treasury Department.

Personal services.

Miscellaneous.

*Proviso.*  
Advances for purchases of books, etc.

Accounting.

Binding.

Contingent expenses.

Chevy Chase and Woodridge branches, rent.

Library building, first unit construction.  
52 Stat. 163.

Inclusion of Board of Education offices.

Improvement of grounds, equipment.

*Proviso.*  
Plans and specifications; funds available.

Professional, etc., services.

5 U. S. C. §§ 661-674; Supp. IV, §§ 673, 673c.

R. S. § 3709.  
41 U. S. C. § 5.  
Services of Procurement Division in planning.

ment is authorized and directed to render such services in planning as the Commissioners may deem necessary, subject to reimbursement for such services.

### SEWERS

Personal services.	For personal services, including one chief engineering inspector at \$2,600 per annum, to be appointed without reference to civil-service requirements, \$183,860.
Cleaning, repairs, etc. Motortrucks.	For cleaning and repairing sewers and basins; including the replacement of the following motortrucks: Two at not to exceed \$975 each and one at not to exceed \$4,000; and for operation and maintenance of the sewage pumping service, including repairs to equipment, machinery, and pumping stations, and employment of mechanics and laborers, purchase of electricity, fuel, oil, waste, and other supplies, and the maintenance of non-passenger-carrying motor vehicles used in this work, \$230,000.
Sewers and receiving basins. Vehicles.	For construction of sewers and receiving basins, including the maintenance of non-passenger-carrying motor vehicles used in this work, and the replacement of one motortruck at not to exceed \$975 and two hydraulic diggers mounted on tractors at not to exceed \$2,500 each; and including not to exceed \$16,710 for the construction of a shop building at the sewer division yard, \$275,000.
Assessment and permit work.	For assessment and permit work, sewers, including not to exceed \$1,000 for purchase or condemnation of rights-of-way for construction, maintenance, and repair of public sewers, \$225,000.
Mosquito control. Vehicles, etc.	For the control and prevention of the spread of mosquitoes in the District of Columbia, including personal services, operation, maintenance, and repair of motor-propelled vehicles, the replacement of one motortruck at not to exceed \$650, purchase of oil, and other necessary expenses, \$12,000: <i>Provided</i> , That of the amount herein appropriated there may be transferred, in the interest of coordinating the work of mosquito control in the District of Columbia, not to exceed \$4,100 to the Public Health Service of the Treasury Department, the amount so transferred to be available for the objects herein specified.
<i>Proviso.</i> Transfer to Public Health Service.	
Sewage treatment plant.	Sewage treatment plant: For operation and maintenance, including salaries and wages of necessary employees, supplies, repairs to buildings and equipment, purchase of electric power, fuel, oil, waste, and other necessary expenses including the maintenance of non-passenger-carrying motor vehicles used in this work, \$206,940.

### COLLECTION AND DISPOSAL OF REFUSE

Personal services.	For personal services, \$137,820.
Sweeping, cleaning, etc.	For dust prevention, sweeping and cleaning streets, avenues, alleys, and suburban streets, under the immediate direction of the Commissioners, including services and purchase and maintenance of equipment, rent of storage rooms; maintenance and repair of garages; maintenance and repair of non-passenger-carrying motor-propelled vehicles necessary in cleaning streets, purchase and exchange of motor-propelled street-cleaning equipment, not to exceed \$29,400, and necessary incidental expenses, \$433,130.
Garbage, dead animals, ashes, etc.	To enable the Commissioners to carry out the provisions of existing law governing the collection and disposal of garbage, dead animals, night soil, and miscellaneous refuse and ashes in the District of Columbia, including inspection; fencing of public and private property designated by the Commissioners as public dumps; including not to exceed \$47,000 for the purchase and exchange of non-passenger-carrying motor vehicles; and incidental expenses, \$896,000:
Vehicles.	

*Provided*, That this appropriation shall not be available for collecting ashes or miscellaneous refuse from hotels and places of business or from apartment houses of four or more apartments in which the landlord furnishes heat to tenants.

*Proviso.*  
Collection restric-  
tion.

## ELECTRICAL DEPARTMENT

For personal services, \$96,640.

Personal services.

For general supplies, repairs, new batteries and battery supplies, telephone rental and purchase, telephone service charges, wire and cable for extension of telegraph and telephone service, repairs of lines and instruments, purchase of poles, tools, insulators, brackets, pins, hardware, cross arms, ice, record book, stationery, extra labor, new boxes, maintenance of motortrucks, and other necessary items, \$39,300.

Supplies, contingent  
expenses, etc.

For placing wires of fire alarm, police patrol, and telephone services underground, extension and relocation of police-patrol and fire-alarm systems, purchase and installing additional cables, labor, material, appurtenances, and other necessary equipment and expenses, \$30,000.

Placing wires under-  
ground, police patrol  
and fire alarm sys-  
tems.

Street lighting: For purchase, installation, and maintenance of public lamps, lampposts, street designations, lanterns, and fixtures of all kinds on streets, avenues, roads, alleys, and public spaces, part cost of maintenance of airport and airway lights necessary for operation of the air mail, and for all necessary expenses in connection therewith, including rental of storerooms, extra labor, operation, maintenance, and repair of motortrucks, this sum to be expended in accordance with the provisions of sections 7 and 8 of the District of Columbia Appropriation Act for the fiscal year 1912 (36 Stat. 1008–1011, sec. 7), and with the provisions of the District of Columbia Appropriation Act for the fiscal year 1913 (37 Stat. 181–184, sec. 7), and other laws applicable thereto, \$757,500: *Provided*, That this appropriation shall not be available for the payment of rates for electric street lighting in excess of those authorized to be paid in the fiscal year 1927, and payment for electric current for new forms of street lighting shall not exceed 2 cents per kilowatt-hour for current consumed: *Provided further*, That no part of this appropriation shall be available for the payment on any contract required by law to be awarded through competitive bidding, which is not awarded to the lowest responsible bidder on specifications, and such specifications shall be so drawn as to admit of fair competition.

Street lighting.

Airway lights.

36 Stat. 1008; 37  
Stat. 181.

*Provisos.*  
Rates, limitation.

Awards to lowest  
bidder.

## PUBLIC SCHOOLS

For personal services of administrative and supervisory officers in accordance with the Act fixing and regulating the salaries of teachers, school officers, and other employees of the Board of Education of the District of Columbia, approved June 4, 1924 (43 Stat. 367–375), including salaries of presidents of teachers colleges in the salary schedule for first assistant superintendents, \$689,803.

Administrative and  
supervisory officers.

43 Stat. 367.

For personal services of clerks and other employees, \$189,160.

Clerks, etc.  
School attendance  
and work permits de-  
partment.

For personal services in the department of school attendance and work permits in accordance with the Act approved June 4, 1924 (43 Stat. 367–375), the Act approved February 5, 1925 (43 Stat. 806–808), and the Act approved May 29, 1928 (45 Stat. 998), \$41,167.

43 Stat. 367, 806.  
45 Stat. 998.

For personal services of teachers and librarians in accordance with the Act approved June 4, 1924 (43 Stat. 367–375), including for teachers colleges assistant professors in salary class eleven, and pro-

Teachers, librarians,  
etc.  
43 Stat. 367.  
*Post*, p. 1308.

Health and physical education teachers, central area.

*Provisos.*  
Placing unassigned teachers of special, etc., subjects.

Librarians, pay restriction.

Instruction in automobile driving.

Vacation schools, instruction, etc.

Lectures on effects of alcoholic liquors and narcotics.

fessors in salary class twelve, and including \$12,200 for health and physical education teachers to supervise play in schools of the central area bounded by North Capitol Street on the east, Florida Avenue on the north, the Mall on the south, and Twelfth Street on the west, \$7,191,930: *Provided*, That teaching vacancies that occur during the fiscal year 1940 wherever found may be filled by the assignment of teachers of special subjects and teachers not now assigned to classroom instruction, and such teachers are hereby made eligible for such assignment without further examination: *Provided further*, That the average of the salaries paid librarians in the public schools shall not exceed the average of the salaries paid employees performing the same grade of work in the Free Public Library: *And provided further*, That the Board of Education is hereby authorized to appoint a teacher, class 2-A, for instruction in automobile driving at the Abbott Vocational School at a beginning salary of \$2,000.

For the instruction and supervision of children in the vacation schools, and supervisors and teachers of vacation schools may also be supervisors and teachers of day schools, \$30,400.

Qualified Federal personnel is authorized with the approval of the head of the Federal agency concerned, and upon request by the Board of Education, to give lectures in the public schools on the effects of alcoholic liquors and narcotics.

#### NIGHT SCHOOLS

Salaries.

For teachers and janitors of night schools, including teachers of industrial, commercial, and trade instruction, and teachers and janitors of night schools may also be teachers and janitors of day schools, \$102,180.

Contingent expenses.

For contingent and other necessary expenses, including equipment and purchase of all necessary articles and supplies for classes in industrial, commercial, and trade instruction, \$4,000.

#### AMERICANIZATION WORK

Instruction of foreigners of all ages.

For Americanization work and instruction of foreigners of all ages in both day and night classes, and teachers and janitors of Americanization schools may also be teachers and janitors of the day schools, \$8,800.

Contingent expenses.

For contingent and other necessary expenses, including books, equipment, and supplies, \$600.

Instruction of children of veterans killed, etc., during World War.

48 Stat. 1125.

34 U. S. C. § 945.

Vocational education.

49 Stat. 1488.

20 U. S. C., Supp. IV, §§ 15h-15p.

For carrying out the provisions of the Act of June 19, 1934 (34 U. S. C. 945), entitled "An Act providing educational opportunities for the children of soldiers, sailors, and marines who were killed in action or died during the World War", \$1,600.

For the development of vocational education in the District of Columbia in accordance with the Act entitled "An Act to provide for the further development of vocational education in the several States and Territories", approved June 8, 1936 (49 Stat. 1488), \$22,099.

#### COMMUNITY CENTER DEPARTMENT

Salaries and expenses.  
43 Stat. 369.

For personal services of the director, general secretaries, and community secretaries in accordance with the Act approved June 4, 1924 (43 Stat. 369, 370); clerks and part-time employees, including janitors on account of meetings of parent-teacher associations and other activities; directors, supervisors, and other playground personnel, at rates of pay to be fixed by the Board of Education without reference to the Classification Act of 1923, as amended, and contingent

Playground personnel.

5 U. S. C. §§ 661-674; Supp. IV, §§ 673, 673c.

expenses, equipment, supplies, and lighting fixtures, \$255,320: *Provided*, That the activities provided for under this appropriation shall be operated under the joint control, supervision, and direction of the Commissioners of the District of Columbia and the Board of Education.

*Proviso.*  
Operation of activities.

For the maintenance and contingent expenses of keeping open during the summer months the public-school playgrounds; for special and temporary services, directors, assistants, and janitor service during the summer vacation, and, in the larger yards, daily after school hours during the school term, \$25,000.

Public-school playgrounds during summer.

For the purchase, installation, and maintenance of equipment for school yards for the purposes of play of pupils, \$7,000: *Provided*, That such playgrounds shall be kept open for play purposes in accordance with the schedule heretofore maintained for playgrounds while under the jurisdiction of the playground department.

Equipment.

*Proviso.*  
Playground schedule.

#### CARE OF BUILDINGS AND GROUNDS

For personal services, including care of portable buildings at a rate not to exceed \$96 per annum for the care of each building, \$968,725.

Personal services.

#### MISCELLANEOUS

For the maintenance of schools for tubercular and crippled pupils, \$7,750.

Schools for tubercular and crippled pupils.

For transportation for pupils attending schools for tubercular pupils, sight-conservation pupils, and crippled pupils, \$23,200: *Provided*, That expenditures for streetcar and bus fares from this fund shall not be subject to the general limitations on the use of streetcar and bus fares covered by this Act.

Transportation.

*Proviso.*  
Streetcar, etc., fares.

For purchase and repair of furniture, tools, machinery, material, and books, and apparatus to be used in connection with instruction in manual and vocational training, and incidental expenses connected therewith, \$70,400, to be immediately available.

Manual, etc., training.

For fuel, gas, and electric light and power, \$312,500: *Provided*, That this appropriation shall be so apportioned and distributed over the fiscal year ending June 30, 1940, and shall be so administered, during such fiscal year, as to constitute the total amount that will be utilized during such fiscal year for such purposes.

Fuel, light, and power.  
*Proviso.*  
Apportionment provisions.

For contingent expenses, including United States flags, furniture and repairs of same, stationery, ice, paper towels, and other necessary items not otherwise provided for, and including not exceeding \$8,000 for books of reference and periodicals, not exceeding \$1,500 for replacement of pianos at an average cost of not to exceed \$300 each, and not exceeding \$6,800 for labor; in all, \$150,000, to be immediately available, of which not to exceed \$2,100 may be expended for tabulating school census cards either by contract or by day labor as the Commissioners may determine: *Provided*, That a bond shall not be required on account of military supplies or equipment issued by the War Department for military instruction and practice by the students of high schools in the District of Columbia.

Contingent expenses.

*Proviso.*  
Military supplies issued to cadets; bond not required.

For the purchase of furniture and equipment to replace worn-out furniture and equipment at Central High School, \$2,076, McKinley High School, \$3,824, and Armstrong High School, \$3,824; in all, \$9,724.

Replacement of worn-out equipment, designated buildings.

For completely furnishing and equipping buildings and additions to buildings, as follows: Eastern High School; Deal Junior High School; Anacostia Junior-Senior High School Stadium; Banneker

Equipment for designated buildings.



*Proviso.*  
New building replacing Lenox Vocational School; designation.  
Supplies to pupils.  
46 Stat. 62.

Junior High School; Noyes School, second floor; Rudolph School; Woodrow Wilson Stadium; \$87,000: *Provided*, That the new school building built to replace the Lenox Vocational School shall, when occupied, be known as the John A. Chamberlain Vocational School.

For textbooks and other educational books and supplies as authorized by the Act of January 31, 1930 (46 Stat. 62), including not to exceed \$7,000 for personal services, \$190,000, to be immediately available.

Kindergartens.

For maintenance of kindergartens, \$5,600, to be immediately available.

Supplies for general science, etc., departments.

For purchase of apparatus, fixtures, specimens, technical books, and for extending the equipment and for the maintenance of laboratories of the department of physics, chemistry, biology, and general science in the several high and junior high schools, vocational schools, and teachers colleges, and for the installation of the same, \$17,875, to be immediately available.

School gardens, utensils, etc.

For utensils, materials, and labor, for establishment and maintenance of school gardens, and for use in teaching elementary science in connection therewith, \$2,400.

Repairs, etc., to buildings.

For repairs and improvements to school buildings and grounds, including maintenance of motor trucks, and not to exceed \$975 for the replacement of one one and one-half ton truck, not to exceed \$40,000 for replacement of boilers, not to exceed \$12,000 for replacement of the heating plant at the Gage School, not to exceed \$3,000 for replacement of insanitary drinking fountains, not to exceed \$7,000 for replacement of insanitary toilet facilities, \$490,525, of which amount \$100,000 shall be immediately available: *Provided*, That work performed for repairs and improvements under appropriations contained in this Act shall be by contract or otherwise, as may be determined by the Commissioners to be most advantageous to the District of Columbia: *Provided further*, That this appropriation shall be available for performing work of repairs and improvements to other municipal buildings, subject to reimbursement covering the cost of such work, and a report of expenditures for such repairs and improvements to other municipal buildings shall be submitted to Congress in the annual Budget.

Gage School, heating plant.

*Provisos.*  
Contracts, etc.

Availability for repairs to other buildings; reimbursement, etc.

Improvement of municipal playgrounds.

For improvement of various municipal playgrounds and recreation centers, including erection of shelter houses, \$25,000, of which not exceeding \$1,000 shall be immediately available for the preparation of architectural and landscaping plans.

Annuities.

To carry out the purposes of the Act approved June 11, 1926, entitled "An Act to amend the Act entitled 'An Act for the retirement of public-school teachers in the District of Columbia', approved January 15, 1920, and for other purposes" (41 Stat. 387-390), \$550,000.

41 Stat. 387; 44 Stat. 727.

#### THE DEAF, DUMB, AND BLIND

Maintenance and instruction.

For maintenance and instruction of deaf and dumb persons admitted to the Columbia Institution for the Deaf from the District of Columbia, under section 4864 of the Revised Statutes, and as provided for in the Act approved March 1, 1901 (24 U. S. C. 238), and under a contract to be entered into with the said institution by the Commissioners, \$35,500.

R. S. § 4864.

31 Stat. 844.

7 D. C. Code § 218.

Colored deaf-mutes. Maintenance and instruction.

For maintenance and instruction of colored deaf-mutes of teachable age belonging to the District of Columbia, in Maryland, or some other State, under a contract to be entered into by the Commissioners, \$9,500: *Provided*, That all expenditures under this appropriation shall be made under the supervision of the Board of Education.

*Proviso.*  
Supervision of expenditures.

For maintenance and instruction of blind children of the District of Columbia, in Maryland, or some other State, under a contract to be entered into by the Commissioners, \$11,500: *Provided*, That all expenditures under this appropriation shall be made under the supervision of the Board of Education.

Blind children.  
Maintenance and instruction.  
*Proviso.*  
Supervision of expenditures.

No part of any appropriation made in this Act shall be paid to any person employed under or in connection with the public schools of the District of Columbia who shall solicit or receive, or permit to be solicited or received, on any public-school premises, any subscription or donation of money or other thing of value from any pupil enrolled in such public schools for presentation of testimonials to school officials or for any purpose except such as may be authorized by the Board of Education at a stated meeting upon the written recommendation of the superintendent of schools.

Solicitation of subscriptions, etc.

No money appropriated in this Act for the purchase of furniture and equipment and school supplies for the public schools of the District of Columbia shall be expended unless the requisitions of the Board of Education therefor shall be approved by the Commissioners of the District of Columbia, or by the purchasing officer and the auditor for the District of Columbia acting for the Commissioners.

Requisitions for equipment, approval by Commissioners.

The Board of Education is authorized to designate the months in which the ten salary payments now required by law shall be made to teachers assigned to instruction in nature study and school gardening, and in health, physical education, and playground activities.

Nature study, etc., teachers.

The children of officers and men of the United States Army, Navy, and Marine Corps, and children of other employees of the United States stationed outside the District of Columbia shall be admitted to the public schools without payment of tuition.

Children of Army, Navy, etc., personnel, admission to schools free.

#### BUILDINGS AND GROUNDS

For completing the construction of a new senior high school on a site already owned by the District of Columbia at Fifth and Sheridan Streets Northwest, \$525,000, and the limit of cost of said building is increased to \$1,425,000;

Construction, etc.  
Senior High, Fifth and Sheridan Streets NW.

For the construction of an eight-room addition to the Montgomery School, including an assembly hall-gymnasium, and the necessary remodeling of the present building, \$229,000;

Montgomery, addition.

For completing the construction of the Thomas Jefferson Memorial Junior High School and Library, \$500,000, of which sum \$7,200 shall be available for supervision of construction, the employment of personal services thereunder to be without reference to section 3709 of the Revised Statutes (41 U. S. C. 5), the Classification Act of 1923, as amended, and civil-service requirements;

Thomas Jefferson Memorial Junior High School and Library.

R. S. § 3709.  
41 U. S. C. § 5.  
5 U. S. C. §§ 661-674;  
Supp. IV, §§ 673, 673c.

For the construction of an eight-room addition to the Ketcham School, including assembly hall-gymnasium, and the necessary remodeling of the present building, to replace the Van Buren School and the Van Buren Annex, \$229,000;

Ketcham, addition, etc.

For construction of a ten-room addition to the Randall Junior High School including necessary remodeling of the present building, \$140,000;

Randall Junior High, addition.

In all, \$1,623,000, to be immediately available and to be disbursed and accounted for as "Buildings and grounds, public schools", and for that purpose shall constitute one fund and remain available until expended: *Provided*, That no part of this appropriation shall be used for or on account of any school building not herein specified.

Aggregate; accounting.

*Proviso.*  
Use restricted.

For the purchase of school building and playground sites as follows:

School building and playground sites.

For the purchase of additional land at the Montgomery School for the construction of an eight-room addition and assembly hall-gymnasium to replace the Briggs School;

For the purchase of a site for school purposes in the vicinity of Massachusetts Avenue and Macomb Street;

For the purchase of land adjoining the Syphax School for the construction of an eight-room addition and assembly hall-gymnasium;

For the purchase of a site for a northeast senior high school;

In all, \$205,000.

No part of the foregoing appropriations for public schools shall be used for instructing children under five years of age except children entering during the first half of the school year who will be five years of age by November 1, 1939, and children entering during the second half of the school year who will be five years of age by March 15, 1940: *Provided*, That this limitation shall not be considered as preventing the employment of a matron and the care of children under school age at the Webster School whose parent or parents are in attendance in connection with Americanization work.

None of the money appropriated by this Act shall be paid or obligated toward the construction of or addition to any building the whole and entire construction of which, exclusive of heating, lighting, plumbing, painting, and treatment of grounds, shall not have been awarded in one or a single contract, separate and apart from any other contract, project, or undertaking, to the lowest responsible bidder complying with all the legal requirements as to a deposit of money or the execution of a bond, or both, for the faithful performance of the contract: *Provided*, That nothing herein shall be construed as repealing existing law giving the Commissioners the right to reject all bids.

The plans and specifications for all building provided for in this Act under appropriations administered by the Commissioners of the District of Columbia shall be prepared under the supervision of the municipal architect, and those for school buildings after consultation with the Board of Education, and shall be approved by the Commissioners and shall be constructed in conformity thereto.

The school buildings authorized and appropriated for herein shall be constructed with all doors intended to be used as exits or entrances opening outward, and each of said buildings having in excess of eight rooms shall have at least four exits. Appropriations carried in this Act shall not be used for the maintenance of school in any building unless all outside doors thereto used as exits or entrances shall open outward and be kept unlocked every school day from one-half hour before until one-half hour after school hours.

## METROPOLITAN POLICE

### SALARIES

#### Salaries.

43 Stat. 174; 46  
Stat. 839.  
Property clerk, etc.

For the pay and allowances of officers and members of the Metropolitan Police force, in accordance with the Act entitled "An Act to fix the salaries of the Metropolitan Police force, the United States Park Police force, and the fire department of the District of Columbia" (43 Stat. 174-175), as amended by the Act of July 1, 1930 (46 Stat. 839-841), including one captain, who shall be property clerk, and the present acting sergeant in charge of police automobiles, who shall have the rank and pay of a sergeant, \$2,943,945.

#### Personal services.

For personal services, \$146,280.

### MISCELLANEOUS

#### Fuel.

For fuel, \$6,500.

#### Repairs, etc.

For repairs and improvements to police stations and station grounds, \$13,000, of which amount not to exceed \$5,000, together with

Northeast senior  
high.

Instruction of chil-  
dren under 5 years of  
age.

*Proviso.*  
Exception; parent  
attending American-  
ization work.

Building contracts,  
requirements.

*Proviso.*  
Right to reject bids.

Preparation of plans,  
etc.

Exit, etc., require-  
ments.

the sum of \$10,000 contained in the District of Columbia Appropriation Act for the fiscal year 1939 for converting the quarters occupied by the Women's Bureau for use as a police precinct station, shall be available during the fiscal year 1940 for alterations, repairs, improvements, and additions to the Women's Bureau Building.

Women's Bureau  
Building, alterations,  
etc.,  
52 Stat. 171.

For the erection of a police precinct station house to be located on land owned by the District of Columbia, in square south of 482, \$68,000.

New precinct station  
house.

For miscellaneous and contingent expenses, including rewards for fugitives, purchase of gas equipment and firearms, maintenance of card system, stationery, city directories, books of reference, periodicals, newspapers, telegraphing, telephoning, photographs, rental and maintenance of teletype system and labor-saving devices, telephone service charges, purchase, maintenance, and servicing of radio broadcasting systems, purchase of equipment, gas, ice, washing, meals for prisoners, medals of award, not to exceed \$300 for car tickets, furniture and repair thereto, beds and bed clothing, insignia of office, police equipments and repairs to same, and mounted equipment, flags and halyards, storage and hauling of stolen or abandoned property, and traveling and other expenses incurred in prevention and detection of crime, not to exceed \$3,000 for expenses of officers and members of the police force in attending, without loss of pay or time, specialized police training classes and pistol matches, including tuition, entrance fees, travel and subsistence, and other necessary expenses, including expenses of harbor patrol, \$77,750, of which amount not exceeding \$10,000 shall be immediately available and may be expended by the Major and Superintendent of Police for prevention and detection of crime, under his certificate, approved by the Commissioners, and every such certificate shall be deemed a sufficient voucher for the sum therein expressed to have been expended.

Contingent expenses.

For purchase and exchange, and maintenance of passenger-carrying and other motor vehicles and the replacement of those worn out in the service and condemned, \$66,700.

Harbor patrol.

Vehicles.

Uniforms: For furnishing uniforms and other official equipment prescribed by department regulations as necessary and requisite in the performance of duty to officers and members of the Metropolitan Police, including cleaning, alteration, and repair of articles transferred from one individual to another, \$47,600.

Uniforms.

#### HOUSE OF DETENTION

For maintenance of a suitable place for the reception and detention of girls and women over seventeen years of age, arrested by the police on charge of offense against any laws in force in the District of Columbia, or held as witnesses or held pending final investigation or examination, or otherwise, including transportation, clinic supplies, food, clothing, upkeep and repair of buildings, fuel, gas, ice, laundry, supplies and equipment, electricity, and other necessary expenses, \$8,500; for personal services, \$9,360; in all, \$17,860.

Maintenance, etc.

#### POLICEMEN AND FIREMEN'S RELIEF

To pay the policemen and firemen's relief and other allowances as authorized by law, \$1,080,000.

Payments.

#### FIRE DEPARTMENT

##### SALARIES

For the pay of officers and members of the fire department, in accordance with the Act entitled "An Act to fix the salaries of officers and members of the Metropolitan Police force, the United States Park

Salaries.

Police force, and the fire department of the District of Columbia" (43 Stat. 175), as amended by the Act of July 1, 1930 (46 Stat. 839-841), \$2,186,000: *Provided*, That no appointment shall be made during the fiscal year 1940 in the grade of private until sixteen vacancies exist in such grade, and fifteen of such vacancies shall not be filled during such fiscal year: *Provided further*, That the Commissioners of the District of Columbia are hereby directed to cause a survey to be made for the purpose of determining what consolidations of present fire department stations can be effected and as a result thereof what, if any, economies may be made in the cost of operating the fire department, and what additional amount would be needed for new construction, a report of such survey to be made and submitted to Congress on the first day of the next regular session of Congress.

43 Stat. 175; 46 Stat. 839.  
*Proviso.*  
Restriction on appointments.

Survey of possible consolidation, etc., of stations.

Report to Congress.

Personal services. For personal services, \$5,740.

## MISCELLANEOUS

Repairs, etc.  
Uniforms. For repairs and improvements to buildings and grounds, \$20,000. Uniforms: For furnishing uniforms and other official equipment prescribed by department regulations as necessary and requisite in the performance of duty to officers and members of the fire department, including cleaning, alteration, and repair of articles transferred from one individual to another, \$21,750.

Repairs to apparatus, etc. For repairs to apparatus, motor vehicles, and other motor-driven apparatus, fireboat and for new apparatus, new motor vehicles, new appliances, employment of mechanics, helpers, and laborers in the fire department repair shop, and for the purchase of necessary supplies, materials, equipment, and tools, \$37,500: *Provided*, That the Commissioners are authorized, in their discretion, to build or construct, in whole or in part, fire-fighting apparatus in the fire department repair shop.

*Proviso.*  
Construction at repair shop.

Hose. For hose, \$12,000.

Fuel. For fuel, \$21,750.

Contingent expenses. For contingent expenses, furniture, fixtures, oil, blacksmithing, gas and electric lighting, flags, and halyards, medals of award, and other necessary items, including \$750 for the purchase of an electrocardiograph machine for the police and fire clinic, \$23,250.

New apparatus, etc. For additional fire-fighting apparatus, including two passenger automobiles, at not to exceed \$650 each, and two chiefs' automobiles, at not to exceed \$1,100 each, \$55,000: *Provided*, That no part of this appropriation shall be available for such purchases except by the exchange of fire-fighting apparatus and motor vehicles to be replaced.

*Proviso.*  
Exchange of apparatus to be replaced.

## HEALTH DEPARTMENT

Salaries. For personal services, including not to exceed \$6,000 for contract investigational services, without reference to section 3709 of the Revised Statutes (41 U. S. C. 5), \$226,850.

R. S. § 3709.  
41 U. S. C. § 5.

Prevention of contagious diseases. Prevention of contagious diseases: For contingent expenses incident to the enforcement of the provisions of an Act to prevent the spread of contagious diseases in the District of Columbia, approved March 3, 1897 (29 Stat. 635-641), and an Act for the prevention of scarlet fever, diphtheria, measles, whooping cough, chickenpox, epidemic cerebrospinal meningitis, and typhoid fever in the District of Columbia, approved February 9, 1907 (34 Stat. 889-890), and an Act to provide for registration of all cases of tuberculosis in the District of Columbia, for free examination of sputum in suspected cases, and for preventing the spread of tuberculosis in said District of Columbia, approved May 13, 1908 (35 Stat. 126-127), under the direction of the health officer of said District, manufacture of serums,

29 Stat. 635.  
Scarlet fever, etc.

34 Stat. 889.  
Tuberculosis registration.

35 Stat. 126.

including their use in indigent cases, and for the prevention of infantile paralysis and other communicable diseases, and of an Act for the prevention of venereal diseases in the District of Columbia, and for other purposes, approved February 26, 1925 (43 Stat. 1001–1003), and for maintenance of disinfecting service, including salaries or compensation for personal services, when ordered in writing by the Commissioners and necessary for the enforcement and execution of said Acts, and for the prevention of such other communicable diseases as hereinbefore provided, and purchase of reference books and medical journals, \$47,230: *Provided*, That any bacteriologist employed under this appropriation may be assigned by the health officer to the bacteriological examination of milk and other dairy products and of the water supplies of dairy farms, and to such other sanitary works as in the judgment of the health officer will promote the public health, whether such examinations be or be not directly related to contagious diseases.

**Maintenance of dispensaries:** For the maintenance of a dispensary or dispensaries for the treatment of indigent persons suffering from tuberculosis and of indigent persons suffering from venereal diseases, including payment for personal services, rent, supplies, and contingent expenses, \$53,340: *Provided*, That the Commissioners may accept such volunteer services as they deem expedient in connection with the establishment and maintenance of the dispensaries herein authorized: *Provided further*, That this shall not be construed to authorize the expenditure or the payment of any money on account of any such volunteer service.

**Nursing service:** For maintaining a nursing service, including personal services, uniforms, supplies, and contingent expenses, \$154,340: *Provided*, That the Commissioners may accept such volunteer services as they deem expedient in connection with the maintenance of the nursing service herein authorized: *Provided further*, That this shall not be construed to authorize the expenditure or payment of any money on account of any such volunteer service.

**Abatement of nuisances:** For enforcement of the provisions of an Act to provide for the drainage of lots in the District of Columbia, approved May 19, 1896 (29 Stat. 125–126), and an Act to provide for the abatement of nuisances in the District of Columbia by the Commissioners, and for other purposes, approved April 14, 1906, \$1,000.

**School hygiene and sanitation, salaries:** For personal services in the conduct of hygiene and sanitation work in schools in the District of Columbia, including the necessary expenses of maintaining free dental clinics, \$114,700.

**For maintenance of laboratories, including reference books and periodicals, apparatus, equipment, and necessary contingent and miscellaneous expenses, \$6,000.**

**Contingent expenses, foods and drugs:** For contingent expenses incident to the enforcement of an Act relating to the adulteration of foods and drugs in the District of Columbia approved February 17, 1898 (30 Stat. 246–248), an Act to prevent the adulteration of candy in the District of Columbia, approved May 5, 1898 (30 Stat. 398), an Act for preventing the manufacture, sale, or transportation of adulterated or misbranded or poisonous or deleterious foods, drugs, medicines, and liquors, and for regulating traffic therein, and for other purposes, approved June 30, 1906 (34 Stat. 768–772), and an Act to regulate, within the District of Columbia, the sale of milk, cream, and ice cream, and for other purposes, approved February 27, 1925 (43 Stat. 1004–1008), including traveling and other necessary expenses of dairy farm inspectors, and car tokens and passes for

Infantile paralysis,  
etc.  
Venereal diseases.

43 Stat. 1001.  
Disinfecting service.

*Proviso.*  
Bacteriological ex-  
amination of milk,  
etc.

Maintenance of dis-  
pensaries.

*Provisos.*  
Volunteer services.

Compensation re-  
striction.

Nursing service.

*Provisos.*  
Volunteer services.

Compensation re-  
striction.

Abatement of nu-  
isances.  
Drainage of lots.  
29 Stat. 125.  
34 Stat. 114.

School hygiene and  
sanitation, salaries.

Free dental clinics.

Laboratories, main-  
tenance.

Contingent ex-  
penses, foods and  
drugs.

30 Stat. 246, 398.

34 Stat. 768.  
21 U. S. C. §§ 1–5;  
7–15.  
Milk regulation.  
43 Stat. 1004.

<i>Proviso.</i> Vehicle allowance.	nurses, sanitary inspectors and food inspectors; and including not to exceed \$200 for special services in detecting adulteration of drugs and foods, including candy and milk, \$7,312: <i>Provided</i> , That inspectors of dairy farms may receive an allowance for furnishing privately owned motor vehicles in the performance of official duties at the rate of not to exceed \$312 per annum for each inspector.
Maternal and child health service.	Maternal and child health service: For maintaining a maternal and child health service, including the establishment and maintenance of maternal and child health stations for clinical examinations, payment for personal services, rent, fuel, books, periodicals, and supplies, \$36,280: <i>Provided</i> , That the Commissioners may accept such volunteer services as they may deem expedient in connection with the establishment and maintenance of the service herein authorized: <i>Provided further</i> , That this shall not be construed to authorize the expenditure or the payment of any money on account of any such volunteer service.
<i>Provisos.</i> Volunteer services.	
Compensation restriction.	For the following hospital and sanatoria: Tuberculosis Sanatoria: For personal services, including \$3,000 for chief visiting consultant, and not to exceed \$3,000 for compensation of consulting physicians at rates to be fixed by the Commissioners, \$383,868.
Tuberculosis Sanatoria.	
Provisions, etc.	For provisions, fuel, forage, harness and vehicles and repairs to same, gas, water, ice, shoes, clothing, dry goods, tailoring, drugs and medical supplies, furniture and bedding, kitchen utensils, medical books, schoolbooks, classroom supplies, books of reference, and periodicals not to exceed \$500, maintenance of motortrucks, and other necessary items, \$238,000.
Repairs and improvements.	For repairs and improvements to buildings and grounds, including roads and sidewalks, \$5,500.
Gallinger Municipal Hospital.	Gallinger Municipal Hospital: For personal services, including two associate medical officers at \$3,200 per annum each, to be appointed without reference to civil service requirements, and including not to exceed \$2,000 for temporary labor, \$599,340, of which \$26,760 shall be available for out-patient relief of the poor including medical and surgical supplies, artificial limbs, and pay of physicians: <i>Provided</i> , That no part of this appropriation shall be available for the care of persons, except in emergency cases, where the person has been a resident of the District of Columbia for less than one year at the time of application for admission.
<i>Proviso.</i> Use restricted.	
Maintenance, etc.	For maintenance of the hospital; for maintenance of the quarantine station, smallpox hospital, and public crematorium, including expenses incident to furnishing proper containers for the reception, burial, and identification of the ashes of all human bodies of indigent persons that are cremated at the public crematorium and remain unclaimed after twelve months from the date of such cremation; for maintenance and purchase of horses and horse-drawn vehicles; for medical books, books of reference, and periodicals not to exceed \$500; for maintenance of non-passenger-carrying motor vehicles; and for all other necessary expenses, \$291,000.
Repairs, etc.	For repairs and improvements to buildings and grounds, \$8,500.
Incidental expenses.	Purchase of books, musical instruments and music, expense of commencement exercises, entertainments, and inspection by New York State Board of Regents, and other incidental expenses of the training school for nurses, \$600.
Medical charities. Care, etc., of indigent patients at designated hospitals.	Medical charities: For care and treatment of indigent patients under contracts to be made by the Health Officer of the District of Columbia and approved by the Commissioners with the following institutions and for not to exceed the following amounts, respectively: Children's Hospital, including not to exceed \$15,000 for dispensary cases to be paid for at existing rates, \$80,000.
Children's Hospital.	

Central Dispensary and Emergency Hospital, \$80,000, including \$25,000 for the establishment of a twenty-four hour clinic at the Emergency-George Washington University clinic, of which not to exceed \$20,000 shall be available for payment to said clinic for employment of personal services, and \$5,000 for dispensary cases, redressings, radiographs, and other services, to be paid at existing rates.

Central Dispensary and Emergency Hospital.  
Emergency-George Washington University, 24-hour clinic.

Eastern Dispensary and Casualty Hospital, \$75,000.

Eastern Dispensary and Casualty Hospital.  
Providence Hospital.  
Out-patient clinic.

Providence Hospital: For repairs, alterations, and improvements to the building erected at the cost of the District of Columbia, to make such building available for an out-patient clinic for indigent persons, such work to be performed under contract or contracts entered into by the Commissioners of said District, \$50,000.

Washington Home for Incurables, \$15,000.

Washington Home for Incurables.  
Columbia Hospital and Lying-in Asylum.

Columbia Hospital and Lying-in Asylum: For general repairs, including labor and material, to be expended in the discretion and under the direction of the Architect of the Capitol, including \$30,000 for reimbursement to such hospital for the replacement of boilers, \$35,000.

## COURTS

### JUVENILE COURT

Salaries: For personal services, \$98,190.

Salaries.

Miscellaneous: For compensation of jurors, \$1,500.

Miscellaneous.

For stationery, books of reference, periodicals, typewriters and repairs thereto, preservation of records, telephone service, traveling expenses, meals of jurors and prisoners, furniture, fixtures, and equipment, and other incidental expenses not otherwise provided for, \$3,000.

Contingent expenses.

The disbursing officer of the District of Columbia is authorized to advance to the chief probation officer of the juvenile court upon requisition previously approved by the judge of the juvenile court and the auditor of the District of Columbia, sums of money not to exceed \$50 at any one time, to be expended for transportation and traveling expenses to secure the return of absconding probationers, and to be accounted for monthly on itemized vouchers to the accounting officer of the District of Columbia.

Advances for return of absconding probationers.

### POLICE COURT

Salaries: For personal services, \$105,520.

Salaries.

For law books, books of reference, directories, periodicals, stationery, rebinding of books, preservation of records, typewriters and repairs thereto, telephone service, laundry work, medicines, lodging and meals for jurors and bailiffs when ordered by the court, and all other necessary and incidental expenses of every kind not otherwise provided for, \$3,250.

Contingent expenses.

For witness fees and compensation of jurors, \$31,500.

Witness fees and compensation of jurors.

### MUNICIPAL COURT

Salaries: For personal services, including compensation of five judges without reference to the limitation in this Act restricting salaries within the grade, \$87,620.

Salaries.

For compensation of jurors, \$8,700: *Provided*, That deposits made on demands for jury trials in accordance with rules prescribed by the court under authority granted in section 11 of the Act approved March 3, 1921 (41 Stat. 1312), shall be earned unless, prior to three days before the time set for such trials, including Sundays and legal holidays, a new date for trial be set by the court, cases be discontinued or settled, or demands for jury trials be waived.

Jurors.  
*Provido*.  
Deposits for jury trials earned unless new date set, etc.  
41 Stat. 1312.



Contingent expenses.

For contingent expenses, including books, law books, books of reference, fuel, light, telephone, lodging and meals for jurors, and for deputy United States marshals while in attendance upon jurors, when ordered by the court; fixtures, repairs to furniture, building and building equipment, and all other necessary miscellaneous items and supplies, \$1,000.

#### MISCELLANEOUS

Probation system.

Probation system: For personal services, \$16,880; contingent expenses, \$800, in all, \$17,680.

### PUBLIC WELFARE

#### BOARD OF PUBLIC WELFARE

Salaries; contract investigational services.

R. S. § 3709.  
41 U. S. C. § 5.

For personal services, including the assistant director of public welfare who shall also be coordinator of child welfare services, and including not to exceed \$7,250 for contract investigational services, without reference to section 3709 of the Revised Statutes (41 U. S. C. 5), \$144,530.

#### DIVISION OF CHILD WELFARE

Administration.

Administration: For administrative expenses, including placing and visiting children, city directory, purchase of books of reference and periodicals not exceeding \$50, and all office and sundry expenses, \$5,000, and no part of the money herein appropriated shall be used for the purpose of visiting any ward of the Board of Public Welfare placed outside the District of Columbia and the States of Virginia and Maryland; and a ward placed outside said District and the States of Virginia and Maryland shall be visited not less than once a year by a voluntary agent or correspondent of said Board, and that said Board shall have power, upon proper showing, in its discretion, to discharge from guardianship any child committed to its care.

Board and care of children.  
Temporary care pending investigation, etc.

For board and care of all children committed to the guardianship of said Board by the courts of the District, and for temporary care of children pending investigation or while being transferred from place to place, with authority to pay not more than \$2,500 each to institutions under sectarian control and not more than \$400 for burial of children dying while under charge of the Board, \$290,000.

Receiving home for children under eighteen.

For the maintenance, under the jurisdiction of the Board of Public Welfare, of a suitable place in a building entirely separate and apart from the house of detention for the reception and detention of children under eighteen years of age arrested by the police on charge of offense against any laws in force in the District of Columbia, or committed to the guardianship of the Board, or held as witness, or held temporarily, or pending hearing, or otherwise, including transportation, food, clothing, medicine, and medicinal supplies, rental, repair and upkeep of buildings, fuel, gas, electricity, ice, supplies, and equipment, and other necessary expenses, including not to exceed \$20,920 for personal services, \$39,800.

Advances to director.

The disbursing officer of the District of Columbia is authorized to advance to the director of public welfare, upon requisitions previously approved by the auditor of the District of Columbia and upon such security as may be required of said director by the Commissioners, sums of money not to exceed \$400 at any one time, to be used for expenses in placing and visiting children, traveling on official business of the Board, and for office and sundry expenses, all such expenditures to be accounted for to the accounting officers of the District of Columbia within one month on itemized vouchers properly approved.

Placing and visiting children.

## JAIL

Salaries: For personal services, \$98,220.

For maintenance and support of prisoners of the District of Columbia at the jail, including not to exceed \$1,000 for furnishing uniforms and caps for guards; subsistence of internes; expenses incurred in identifying and pursuing escaped prisoners and rewards for their capture; repair and improvements to buildings, cells, and locking devices; newspapers, books, and periodicals not to exceed \$100; maintenance of non-passenger-carrying motor vehicle; and expense of electrocutions, \$75,400.

Addition to jail: For completing construction of an addition to, and for the necessary remodeling of, the jail, to provide for administrative offices, a hospital, execution facilities, and a walled exercise yard, \$125,000.

Salaries.  
Maintenance, etc.,  
of prisoners.

Addition to jail,  
construction, etc.

## GENERAL ADMINISTRATION, WORKHOUSE AND REFORMATORY, DISTRICT OF COLUMBIA

For personal services, \$511,340.

For maintenance, care, and support of inmates, including subsistence of internes, discharge gratuities provided by law, medical supplies, newspapers, books, books of reference and periodicals, farm implements, tools, equipment, transportation expenses, purchase and maintenance of livestock and horses; purchase of a moving-picture machine at not to exceed \$1,500; purchase, exchange, maintenance, operation, and repair of non-passenger-carrying vehicles and motor-bus; fuel for heating, lighting, and power, and all other necessary items, including uniforms and caps for guards, \$479,000.

For repairs to buildings and grounds, and maintenance of utilities, marine and railroad transportation facilities, and mechanical equipment not used in industrial enterprises, \$27,000.

To provide a working capital fund for such industrial enterprises as may be approved by the Commissioners of the District of Columbia, \$30,000: *Provided*, That the various departments and institutions of the District of Columbia and the Federal Government may purchase, at fair market prices, as determined by the Commissioners, such products and services as meet their requirements; receipts from the sale of products and services shall be deposited to the credit of said working capital fund, and said fund, including all receipts credited thereto, shall be used as a revolving fund for the fiscal year 1940 for the purchase and repair of machinery, tools, and equipment, purchase of raw materials and manufacturing supplies, purchase, maintenance, and operation of non-passenger-carrying vehicles, and purchase of fuel for manufacturing purposes; for freight, personal services, and all other necessary expenses; and for the payment to inmates or their dependents of such pecuniary earnings as the Commissioners may deem proper.

For continuing construction and equipment of permanent buildings for women, including sewers, water mains, and other necessary utilities, \$45,000.

For continuing construction of buildings and enclosing walls, including purchase of equipment and furniture, to provide for the custody of such prisoners as should be confined within a walled enclosure, \$75,000.

For constructing an enclosed reservoir for filtered water, and for remodeling shop and dormitory buildings, \$37,000.

Replacing dredge, workhouse and reformatory: For replacing a sand dredge, \$12,000.

Personal services.  
Maintenance, etc.

Repairs to build-  
ings, etc.

Working capital  
fund for industrial  
enterprises.

*Proviso.*  
Purchase of services  
and products.

Deposit of receipts  
as a revolving fund.

Availability.

Buildings for women,  
construction, etc.

Construction of  
buildings and enclos-  
ing walls, etc.

Reservoir; remodel-  
ing shop and dormi-  
tory buildings.

Replacing sand  
dredge.

Support, etc., of convicts.

Support of convicts: For support, maintenance, and transportation of convicts transferred from District of Columbia; expenses of shipping remains of deceased convicts to their homes in the United States; expenses of interment of unclaimed remains of deceased convicts; expenses incurred in identifying, pursuing, recapturing (including rewards therefor), and returning to institutions, escaped convicts and parole and conditional-release violators; and transportation expenses of returning released convicts to their residences, \$100,000.

Advances for returning escaped prisoners.

The disbursing officer of the District of Columbia is authorized to advance to the general superintendent of penal institutions, upon requisitions previously approved by the auditor of the District of Columbia, and upon such security as the Commissioners may require of said superintendent, sums of money not exceeding \$300 at one time, to be used only for expenses in returning escaped prisoners, conditional releases, and parolees, payable from the appropriation, "Support of convicts", all such expenditures to be accounted for to the accounting officers of the District of Columbia within one month on itemized vouchers properly approved.

#### NATIONAL TRAINING SCHOOL FOR BOYS

Care, etc., of boys committed to.

For care and maintenance of boys committed to the National Training School for Boys by the courts of the District of Columbia under a contract to be made by the Board of Public Welfare with the authorities of said National Training School for Boys, \$75,000.

#### NATIONAL TRAINING SCHOOL FOR GIRLS

Salaries and expenses.

National Training School for Girls: For personal services; groceries, provisions, light, fuel, clothing, shoes; forage and farm supplies; medicine and medical service (including not to exceed \$2,000 for medical care and not to exceed \$600 for dental care); transportation; maintenance of non-passenger-carrying vehicles; equipment, fixtures, books, magazines, and other educational supplies; recreational equipment and supplies, including rental of motion-picture films; stationery; postage; repairs; and other necessary items, including expenses incident to securing suitable homes for paroled or discharged girls, \$38,200, of which sum not to exceed \$20,840 may be expended for personal services: *Provided*, That the total cost of maintaining inmates in said school, including all administrative expenses, shall not exceed an average per capita of \$500 per annum.

*Proviso.*  
Maintenance limitation.

Acquisition of site in Prince Georges County, Md.

*Proviso.*  
Procurement, etc., of title.

For the acquisition by the Commissioners of the District of Columbia of approximately one hundred acres of land in Prince Georges County, Maryland, as a site for the National Training School for Girls, \$10,000: *Provided*, That the title to said property shall be taken directly to and in the name of the United States, and in case a satisfactory price cannot be agreed upon for the purchase of said land the Attorney General of the United States, at the request of the Commissioners of the District of Columbia, shall institute condemnation proceedings to acquire such land as may be selected in accordance with the laws of the State of Maryland, and expenses of procuring evidences of title or of condemnation, or both, shall be paid out of the appropriation made for the purchase of said land.

#### DISTRICT TRAINING SCHOOL

Personal services.

For personal services, including not to exceed \$500 for compensation of consulting physicians at rates to be fixed by the Commissioners, and not to exceed \$2,500 for temporary labor, \$129,020.

Maintenance, etc.

For maintenance and other necessary expenses, including the maintenance of non-passenger-carrying motor vehicles, the purchase and

maintenance of horses and wagons, farm machinery and implements, and not to exceed \$300 for the purchase of books, books of reference, and periodicals, \$100,000.

For repairs and improvements to buildings and grounds, \$5,000.

The unexpended balance of the appropriation of \$175,000 for "Hospital and Administration Building", contained in the District of Columbia Appropriation Act for the fiscal year 1938 is hereby made available for the construction and equipment of additional dormitory buildings.

For construction and equipment of a milk house and milking barn, such work to be performed by day labor or otherwise, in the discretion of the Commissioners, \$10,000.

Repairs and improvements.  
Additional dormitory buildings.

Fund available.  
50 Stat. 382.

Milk house, etc., construction.

#### INDUSTRIAL HOME SCHOOL FOR COLORED CHILDREN

Salaries: For personal services, \$40,205; temporary labor, \$500; in all, \$40,705.

For maintenance, including purchase and maintenance of farm implements, horses, wagons, and harness, maintenance of non-passenger-carrying motor vehicles, not to exceed \$2,250 for manual-training equipment and materials, \$29,000.

For repairs and improvements to buildings and grounds, \$3,000.

Salaries.

Maintenance, etc.

Repairs, etc.

#### INDUSTRIAL HOME SCHOOL

Salaries: For personal services, \$28,740; temporary labor, \$1,000; in all, \$29,740.

For maintenance, including purchase of equipment, maintenance of non-passenger-carrying motor vehicles, \$23,900.

For repairs and improvements to buildings and grounds, \$2,500.

Salaries.

Maintenance, etc.

Repairs, etc.

#### HOME FOR AGED AND INFIRM

Salaries: For personal services, \$66,560; temporary labor, \$2,000; in all, \$68,560.

For provisions, fuel, forage, harness and vehicles and repairs to same, ice, shoes, clothing, dry goods, tailoring, drugs and medical supplies, furniture and bedding, kitchen utensils, and other necessary items, and maintenance of non-passenger-carrying motor vehicles, \$75,550.

For repairs and improvements to buildings and grounds, such work to be performed by day labor or otherwise in the discretion of the Commissioners, \$5,000.

For construction of an addition to the infirmary building, such work to be performed by day labor or otherwise in the discretion of the Commissioners, \$15,000.

Salaries.

Contingent expenses.

Repairs, etc.

Infirmary building addition.

#### MUNICIPAL LODGING HOUSE

For personal services, \$3,660; maintenance, \$4,000; in all, \$7,660.

Salaries and expenses.

#### PUBLIC ASSISTANCE

For the purpose of affording relief to residents of the District of Columbia who are unemployed or otherwise in distress because of the existing emergency, to be expended by the Board of Public Welfare of the District of Columbia by employment and direct relief, in the discretion of the Board of Commissioners and under rules and regulations to be prescribed by the Board and without regard to the provisions of any other law, payable from the revenues of the District of Columbia, \$900,000, and not to exceed 10 per centum of this appropriation and of Federal grants reimbursed under this

Relief of the unemployed, etc.

From D. C. revenues.

Personal services.	appropriation shall be expended for personal services, including the employment of one general superintendent of public assistance services at \$5,600 per annum, one assistant superintendent of such services at \$4,600 per annum, and one stenographer-typist (secretary) at \$2,000 per annum, to be appointed without reference to civil-service requirements, and not to exceed \$25,000 may be expended for the distribution of surplus commodities, including \$5,300 for personal services: <i>Provided</i> , That all auditing, disbursing, and accounting for funds administered through the Public Assistance Division of the Board of Public Welfare, including all employees engaged in such work and records relating thereto, shall be under the supervision and control of the Auditor of the District of Columbia: <i>Provided</i> , That no part of this appropriation shall be expended in such a manner as to require a deficiency to supplement such appropriation.
<i>Proviso.</i> Supervision of accounts.	
Antideficiency provision.	
Home care for dependent children.	Home Care for Dependent Children: To carry out the purposes of the Act entitled "An Act to provide home care for dependent children in the District of Columbia", approved June 22, 1926 (44 Stat. 758-760), including not to exceed \$13,060 for personal services in the District of Columbia, \$163,000: <i>Provided</i> , That this appropriation shall be so apportioned and distributed by the Commissioners over the fiscal year ending June 30, 1940, and shall be so administered during such fiscal year, as to constitute the total amount that will be utilized during such fiscal year for such purposes, and no more than \$400 shall be paid for burial of children dying while beneficiaries under said Act.
44 Stat. 758.	
<i>Proviso.</i> Apportionment of funds.	
Old-age assistance.	Assistance against old-age want: To carry out the provisions of the Act entitled "An Act to amend the Code of Laws for the District of Columbia in relation to providing assistance against old-age want", approved August 24, 1935 (49 Stat. 747), including not to exceed \$57,265 for personal services and other necessary expenses, \$597,000.
49 Stat. 747.	
Pensions for needy blind persons.	Pensions for needy blind persons: To carry out the provisions of the Act entitled "An Act to provide aid for needy blind persons of the District of Columbia and authorizing appropriations therefor", approved August 24, 1935 (49 Stat. 744), \$40,000.
49 Stat. 744.	
Public assistance, allocations.	In expending appropriations contained in this Act under the caption "Public Assistance", not more than the following monthly amounts shall be paid therefrom: Emergency Relief of Residents: Single persons, not more than \$24; family of two persons, not more than \$30, and for each person in excess of such number under sixteen years of age not more than \$6; and not to exceed a total of \$60 to any one family; Home Care for Dependent Children: Family of two persons, not more than \$30, and for each person in excess of such number under sixteen years of age not more than \$6; and not to exceed a total of \$60 to any one family; Assistance Against Old Age Want, and Aid for Needy Blind Persons: Not more than \$30 per month shall be paid therefrom to any one person.
Emergency relief of residents.	
Home care for dependent children.	
Old-age assistance and aid to blind.	

## SPONSOR'S CONTRIBUTIONS TO WORK PROJECTS ADMINISTRATION

Sponsor's contributions for objects designated.

For amount required by the District of Columbia as sponsor's contributions toward Work Projects Administration nonconstruction projects for free lunches for necessitous school children, sewing, household service, housekeeping aides, adult education, and recreation, including the purchase of food, supplies, materials, streetcar and bus fares, rent, equipment, rental of equipment, personal services, and other necessary expenses, \$177,500, together with not to exceed \$12,000 of the unexpended balance of the appropriation for the same purposes for the fiscal year 1939 contained in the Second Deficiency Appropriation Act, fiscal year 1938.

52 Stat. 1123.

## TEMPORARY HOME FOR FORMER SOLDIERS AND SAILORS

For personal services, \$4,620; maintenance, \$11,750; and repairs to buildings and grounds, \$1,000; in all, \$17,370, to be expended under the direction of the Commissioners; and former Union soldiers, sailors, or marines of the Civil War, former soldiers, sailors, or marines of the Spanish War, Philippine Insurrection, or China relief expedition, and former soldiers, sailors, or marines of the World War or who served prior to July 2, 1921, shall be admitted to the home, all under the supervision of a board of management.

Personal services,  
maintenance, etc.

## FLORENCE CRITTENTON HOME

For care and maintenance of women and children under contracts to be made by the Board of Public Welfare, with the Florence Crittenton Home and other like institutions, \$8,000.

Maintenance.

## SOUTHERN RELIEF SOCIETY

For care and maintenance of needy and infirm Confederate veterans, their widows and dependents, residents in the District of Columbia, under a contract to be made with the Southern Relief Society by the Board of Public Welfare, \$10,000.

Maintenance.

## NATIONAL LIBRARY FOR THE BLIND

For aid and support of the National Library for the Blind, located at 1800 D Street Northwest, to be expended under the direction of the Commissioners of the District of Columbia, \$5,000.

Aid, etc.

## COLUMBIA POLYTECHNIC INSTITUTE

To aid the Columbia Polytechnic Institute for the Blind, located at 1808 H Street Northwest, to be expended under the direction of the Commissioners of the District of Columbia, \$3,000.

Aid, etc.

## SAINT ELIZABETHS HOSPITAL

For support of indigent insane of the District of Columbia in Saint Elizabeths Hospital, as provided by law, \$2,602,260.

Support of D. C.  
indigent insane.

## NONRESIDENT INSANE

For deportation of nonresident insane persons, in accordance with the Act of Congress entitled "An Act to provide for insanity proceedings in the District of Columbia", approved June 8, 1938, including persons held in the psychopathic ward of the Gallinger Municipal Hospital, \$12,000.

Deportation ex-  
penses.

52 Stat. 625.

In expending the foregoing sum the disbursing officer of the District of Columbia is authorized to advance to the Director of Public Welfare, upon requisitions previously approved by the auditor of the District of Columbia, and upon such security as the Commissioners may require of said Director, sums of money not exceeding \$300 at one time, to be used only for deportation of nonresident insane persons, and to be accounted for monthly on itemized vouchers to the accounting officer of the District of Columbia.

Advances author-  
ized.

## BURIAL OF EX-SERVICE MEN

For expenses of burying in the Arlington National Cemetery, or in the cemeteries of the District of Columbia, indigent Union ex-soldiers, ex-sailors, or ex-marines, of the United States service, either Regular or Volunteer, who have been honorably discharged or retired, and who died in the District of Columbia, to be disbursed by the Secre-

Burial of indigent.

tary of War at a cost not exceeding \$45 for such burial expenses in each case, exclusive of cost of grave, \$270.

#### TRANSPORTATION OF NONRESIDENT AND INDIGENT PERSONS

Expenses.

For transportation of indigent nonresident persons to their legal residence or to the home of a relative or relatives, including maintenance pending transportation, and transportation of other indigent persons, including indigent veterans of the World War and their families, \$20,000, of which amount not to exceed \$7,100 shall be available for personal services.

#### VOCATIONAL REHABILITATION

Expenses.

Vocational rehabilitation of disabled residents, District of Columbia: To carry out the provisions of the Act entitled "An Act to provide for the vocational rehabilitation of disabled residents of the District of Columbia, and for other purposes", approved February 23, 1929, \$25,000.

45 Stat. 1260.

#### MILITIA

Expenses authorized, under commanding general.

For the following, to be expended under the authority and direction of the commanding general, who is hereby authorized and empowered to make necessary contracts and leases, namely:

Personal services.

For personal services, \$27,600, including compensation to the commanding general at the rate of \$3,600 per annum; temporary labor, \$5,800; for expenses of camps, including hire of horses for officers required to be mounted, and for the payment of commutation of subsistence for enlisted men who may be detailed to guard or move the United States property at home stations on days immediately preceding and immediately following the annual encampments; damages to private property incident to encampment; reimbursement to the United States for loss of property for which the District of Columbia may be held responsible; cleaning and repairing uniforms, arms, and equipment; instruction, purchase, and maintenance of athletic, gymnastic, and recreational equipment at armory or field encampments, not to exceed \$500; practice marches, drills, and parades; rent of armories, drill halls, and storehouses; fuel, light, heat, care, and repair of armories, offices, and storehouses; machinery and dock, including dredging alongside of dock; construction of buildings for storage and other purposes at target range; telephone service; printing, stationery, and postage; horses and mules for mounted organizations; maintenance and operation of passenger and non-passenger-carrying motor vehicles; streetcar fares (not to exceed \$200) necessarily used in the transaction of official business; not exceeding \$400 for traveling expenses, including attendance at meetings or conventions of associations pertaining to the National Guard; and for general incidental expenses of the service, \$15,480; in all, \$48,880: *Provided*, That so much of the Act of March 1, 1889 (25 Stat. 773), as amended by the Act of February 18, 1909 (35 Stat. 629), as provides and fixes the rates of extra compensation to members of the regularly enlisted bands of the Militia of the District of Columbia, is hereby repealed.

*Proviso.*  
Designated extra pay legislation repealed.  
25 Stat. 780; 35 Stat. 635.

Armory, construction.

For beginning construction of an armory for the Militia of the District of Columbia on all or any of squares 1121, 1122, 1128, 1129, 1135, and 1136, as may be determined by the Commissioners of said District, \$350,000, together with an additional sum of not to exceed \$150,000 which is hereby reappropriated from the unexpended balance of the appropriation of \$500,000 contained in the District of Columbia Appropriation Act for the fiscal year 1939 for beginning the con-

52 Stat. 163.

struction in square 533 of the first unit of an extensible building for the government of the District of Columbia, and the Commissioners are authorized to enter into contract or contracts for the construction of such armory at a total cost, exclusive of furniture and equipment, not to exceed \$2,750,000: *Provided*, That not to exceed \$60,000 shall be immediately available for the preparation of plans and specifications, in consultation with the Commanding General of the District of Columbia Militia, and for the employment of professional and other services without reference to the Classification Act of 1923, as amended, section 3709 of the Revised Statutes, and civil-service requirements, and for other necessary expenses, and the Procurement Division of the Treasury Department is authorized and directed to render such services in planning as the Commissioners may deem necessary, subject to reimbursement for such services.

Contracts.

*Proviso.*  
Plans and specifications.

Professional, etc., services.  
6 U. S. C. §§ 661-674; Supp. IV, §§ 673, 673c.  
R. S. § 3709.  
41 U. S. C. § 5.

### ANACOSTIA RIVER AND FLATS

For continuing the reclamation and development of Anacostia Park, in accordance with the revised plan as set forth in Senate Document Numbered 37, Sixty-eighth Congress, first session, \$65,000.

Continuing development.

### IMPROVEMENT OF WASHINGTON CHANNEL

Toward the payment by the District of Columbia of its proportionate part of the cost of improving the north side of Washington Channel, District of Columbia, as set forth in the Act of Congress approved August 30, 1935, entitled "An Act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes", \$64,000, which sum shall be transferred to the War Department and be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, and shall continue available until expended.

Payment.

49 Stat. 1031.

### NATIONAL CAPITAL PARKS

#### SALARIES, PUBLIC PARKS, DISTRICT OF COLUMBIA

For personal services, \$353,590.

Personal services.

#### GENERAL EXPENSES, PUBLIC PARKS

General expenses: For general expenses in connection with the maintenance, care, improvement, furnishing of heat, light, and power of public parks, grounds, fountains and reservations, propagating gardens and greenhouses under the jurisdiction of the National Park Service, including the tourists' camp on its present site in East Potomac Park, and including personal services of seasonal or intermittent employees at per-diem rates of pay approved by the Secretary of the Interior, not exceeding current rates of pay for similar employment in the District of Columbia; placing and maintaining portions of the parks in condition for outdoor sports and for expenses incident to the conducting of band concerts in the parks; the hire of draft animals with or without drivers at local rates approved by said Secretary; the purchase and maintenance of draft animals, harness, and wagons; contingent expenses; city directories; communication service; carfare; traveling expenses; professional, scientific, technical, and law books; periodicals and reference books, blank books and forms; photographs; dictionaries and maps; leather and rubber articles for the protection of employees and property; the maintenance, repair, exchange, and operation of not to exceed two motor-propelled passenger-carrying vehicles and all necessary bicycles,

General expenses.



*Proviso.*  
Minor auxiliary  
structures.

motorcycles, and self-propelled machinery; the purchase, maintenance, and repair of equipment and fixtures, and so forth, \$409,333: *Provided*, That not to exceed \$10,000 of the amount herein appropriated may be expended for the erection of minor auxiliary structures.

#### PARK POLICE

Salaries.  
43 Stat. 175; 44 Stat.  
834; 46 Stat. 839.

Salaries: For pay and allowances of the United States Park Police force, in accordance with the Act approved May 27, 1924, as amended, \$175,470.

Uniforms, equip-  
ment, etc.

For uniforming and equipping the United States Park Police force, including the purchase, issue, operation, maintenance, repair, exchange, and storage of revolvers, bicycles, and motor-propelled passenger-carrying vehicles, uniforms, ammunition, and radio equipment and the rental of teletype service, \$9,400.

#### NATIONAL CAPITAL PARK AND PLANNING COMMISSION

Federal reimburse-  
ment for lands ac-  
quired.  
46 Stat. 485.

For reimbursement to the United States in compliance with section 4 of the Act approved May 29, 1930 (46 Stat. 482), as amended, \$500,000.

Incidental expenses.

43 Stat. 463.  
40 U. S. C. § 71.

For each and every purpose, except the acquisition of land, requisite for and incident to the work of the National Capital Park and Planning Commission as authorized by the Act entitled "An Act providing for a comprehensive development of the park and playground system of the National Capital", approved June 6, 1924 (40 U. S. C. 71), as amended, including personal services in the District of Columbia, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, not to exceed \$1,000 for printing and binding, not to exceed \$500 for traveling expenses and carfare of employees of the Commission, and not to exceed \$300 for professional scientific, technical, and reference books, and periodicals, \$41,230.

#### NATIONAL ZOOLOGICAL PARK

Expenses.

For roads, walks, bridges, water supply, sewerage, and drainage; grading, planting, and otherwise improving the grounds, erecting and repairing buildings and enclosures; care, subsistence, purchase, and transportation of animals; necessary employees; traveling and incidental expenses not otherwise provided for, including not to exceed \$2,000 for travel and field expenses in the United States and foreign countries for the procurement of live specimens and for the care, subsistence, and transportation of specimens obtained in the course of such travel; maintenance and operation of one motor-propelled passenger-carrying vehicle required for official purposes; for the purchase, issue, operation, maintenance, repair, and exchange of bicycles and non-passenger-carrying motor vehicles, revolvers, and ammunition; not exceeding \$2,500 for purchasing and supplying uniforms to Park Police, keepers, and assistant keepers; not exceeding \$100 for the purchase of necessary books and periodicals, \$237,060, no part of which sum shall be available for architect's fees or compensation.

Uniforms.

#### HIGHWAY FUND, GASOLINE TAX AND MOTOR VEHICLE FEES

Sums appropriated  
wholly out of special  
fund.

The following sums are appropriated wholly out of the special fund created by the Act entitled "An Act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes", approved April 23, 1924, and the Act entitled "An

Act to provide additional revenue for the District of Columbia, and for other purposes", approved August 17, 1937, for expenses of the following departments and activities:

43 Stat. 106; 50 Stat. 676.

#### DEPARTMENT OF VEHICLES AND TRAFFIC

For personal services, including \$6,000 for temporary clerk hire, and including an administrative assistant at \$4,000 per annum, to be appointed without reference to civil-service requirements, \$177,420.

Personal services.

For purchase, installation, and modification of electric traffic lights, signals, and controls, markers, painting white lines, labor, maintenance of non-passenger-carrying motor vehicles, purchase (including exchange) of a one-ton truck at not to exceed \$870, printing and binding, postage, telephone service, heating, electricity, repairs to equipment of inspection stations, continuation of the operation of parking meters on the streets of the District of Columbia, including maintenance and repair, not to exceed \$7,500 for such expenses as the Commissioners, in their discretion, may deem necessary in connection with traffic safety education, and such other expenses as may be necessary in the judgment of the Commissioners, including not to exceed \$32,000 for the operation and maintenance of electric traffic lights, signals, and controls, \$165,250, of which not less than \$50,000 shall be expended for the purchase, installation, and modification of electric traffic-light signals and \$5,000 shall be available for directional signs: *Provided*, That no part of this or any other appropriation contained in this Act shall be expended for building, installing, and maintaining streetcar loading platforms and lights of any description employed to distinguish same, except that a permanent type of platform may be constructed from appropriations contained in this Act for street improvements when such work is undertaken in connection with roadway paving, repaving or resurfacing, and plans and locations thereof are approved by the Public Utilities Commission and the Director of Vehicles and Traffic: *Provided further*, That the street railway company shall pay the cost of maintenance, marking, and lighting after construction.

Expenses, etc.

Parking meters.

Traffic safety education.

*Prorisos.*  
Streetcar loading  
platforms, etc., re-  
strictions; exception.

Maintenance ex-  
penses.

Designation of park-  
ing spaces for official  
use of Members of  
Congress.

Identification  
plates.

The Commissioners of the District of Columbia are authorized and directed to designate, reserve, and properly mark appropriate and sufficient parking spaces on the streets adjacent to all public buildings in such District for the use of Members of Congress engaged on public business.

For the purchase of motor-vehicle identification number plates, \$20,000.

#### POLICE TRAFFIC CONTROL

For expenses necessarily involved in the police control, regulation, and administration of traffic upon the highways, \$518,885, which amount shall be transferred to the appropriation contained in this Act for pay and allowances of officers and members of the Metropolitan Police force.

Expenses.

#### HIGHWAY DEPARTMENT

For personal services, \$250,360.

Personal services.

#### STREET IMPROVEMENTS

For paving, repaving, grading, and otherwise improving streets, avenues, and roads, including temporary per diem services, surveying instruments and implements, and drawing materials, and the maintenance of motor vehicles used in this work, including curbing and gutters and replacement of curb-line trees where necessary, and

Paving, etc., streets  
and roads.

Improvements designated.

including assessment and permit work and the several purposes provided for thereunder, as follows:

For paving, repaving, and surfacing, including curbing and gutters where necessary, the following:

Northeast: Montana Avenue, Seventeenth Street to Rhode Island Avenue, \$45,000;

Northeast: South Dakota Avenue, Eighteenth Street to Michigan Avenue, \$35,000;

Northwest: Loughboro Road, Glenbrook Road to Conduit Road, \$68,000;

Northeast: Lincoln Road, Rhode Island Avenue to Douglas Street, \$48,000;

Northwest: Kennedy Street, Kansas Avenue to North Capitol Street, \$32,000;

Southeast: Thirty-third Street, Alabama Avenue to Denver Street, \$18,800;

Southeast: Nineteenth Street, A Street to B Street, \$5,300;

Southeast: Burke Street, Nineteenth Street west to concrete, \$2,900;

Northeast: D Street, Eighteenth Street to Nineteenth Street, \$7,500;

Northeast: Sixteenth Street, C Street to D Street, \$6,000;

Northeast: Lyman Place, Nineteenth Street west to concrete, \$4,200;

Northeast: Staples Street, Neal Street to Oates Street, \$6,000;

Northeast: Capitol Avenue and Corcoran Street, Mount Olivet Road to West Virginia Avenue, \$12,000;

Northeast: Franklin Street, Twenty-second Street to Twenty-fourth Street, \$9,000;

Northeast: Clinton Street, Walnut Street to Central Avenue, \$5,800;

Northeast: Twenty-sixth Street, Newton Street to Perry Street, \$10,500;

Northeast: Twenty-fifth Place, Perry Street to Bunker Hill Road, \$7,200;

Northeast: Eighteenth Street, Irving Street to Rhode Island Avenue, \$7,500;

Northeast: Taylor Street, Seventh Street to Tenth Street, \$16,200;

Northeast: Everts Street, Third Street to Sixth Street, \$16,000;

Northeast: Douglas Street, Lincoln Road to Third Street, \$6,000;

Northwest: Tuckerman Street, Blair Road to Second Place, \$4,500;

Northwest: Gallatin Street, New Hampshire Avenue to Third Street, \$13,000;

Northwest: Seventh Street, Peabody Street to Quackenbos Street, \$6,000;

Northwest: Quackenbos Street, Seventh Street to Eighth Street, \$6,800;

Northwest: Seventh Place, Quackenbos Street to Rittenhouse Street, \$4,800;

Northwest: Underwood Street, Eighth Street to Ninth Street, \$7,200;

Northwest: Seventh Place, Underwood Street to Van Buren Street, \$6,800;

Widening, etc., designated roadways.

For widening, altering, paving, and repaving roadways, in accordance with the plans and profiles to be approved by the Commissioners of the District of Columbia, including the necessary replacement and relocation of sewers, water mains, and fire-alarm and police-patrol boxes, as follows:

Seventh Street west, Constitution Avenue north to Independence Avenue south, \$88,000;

Northwest: Eleventh Street, Rhode Island Avenue to Vermont Avenue, \$49,500;

Grading, etc., under Federal Aid Highway Act.

For grading, paving, repaving, surfacing and otherwise improving streets, avenues and roads, including curbing and gutters, drain-

age structures, retaining walls, the replacement and relocation of sewers, water mains and fire-alarm boxes and police-patrol boxes and replacement of curb-line trees, when necessary, as Federal aid highway projects under section 1-b of the Federal Aid Highway Act of 1938 (Public, Numbered 584, Seventy-fifth Congress), \$560,000: *Provided*, That in connection with the highway-planning survey, involving surveys, plans, engineering, and economic investigations of projects for future construction in the District of Columbia, as provided for under section 10 of the Federal Aid Highway Act of 1938, this fund shall be available to the extent authorized in said section for the employment of engineering or other professional services by contract or otherwise, and without reference to section 3709 of the Revised Statutes (41 U. S. C. 5), the Classification Act of 1923, as amended, and civil-service requirements, and for engineering and incidental expenses;

For grading streets, alleys, and roads, including construction of necessary culverts and retaining walls, \$50,000;

For paving the unpaved center strips of paved roadways, \$5,000;

For minor changes in roadway and sidewalks on plans to be approved by the Commissioners of the District of Columbia to facilitate vehicular and pedestrian traffic, \$5,000;

For construction of curbs and gutters, or concrete shoulders in connection with all forms of macadam roadways and adjustment of roadways thereto, together with resurfacing and replacing of base of such roadways where necessary, \$200,000;

For the surfacing and resurfacing or replacement of asphalt, granite block, or concrete pavements with the same or other approved material, \$350,000;

For construction, maintenance, operation, and repair of bridges, \$50,000;

For current work of repairs to streets, avenues, roads, and alleys, including the reconditioning of existing gravel streets and roads; for cleaning snow and ice from streets, sidewalks, cross walks, and gutters in the discretion of the Commissioners; and including the purchase, exchange, maintenance, and operation of non-passenger-carrying motor vehicles used in this work, \$850,000, of which amount \$25,000 shall be available exclusively for snow removal: *Provided*, That appropriations contained in this Act for highways, sewers, city refuse, and the water department shall be available for snow removal when specifically and in writing ordered by the Commissioners: *Provided further*, That the Commissioners of the District of Columbia, should they deem such action to be to the advantage of the District of Columbia, are hereby authorized to purchase a municipal asphalt plant at a cost not to exceed \$30,000;

This appropriation shall be available for the construction and repair of pavements of street railways in accordance with the provisions of the Merger Act, approved January 14, 1933 (47 Stat. 752). The proportion of the amount thus expended which under the terms of the said Act is required to be paid by the street-railway company shall be collected, upon the neglect or the refusal of such street-railway company to pay, from the said street-railway company in the manner provided by section 5 of "An Act providing a permanent form of government for the District of Columbia", approved June 11, 1878, and shall be deposited to the credit of the appropriation for the fiscal year in which it is collected;

For the preparation of studies, plans and surveys, estimates and investigation of foundation conditions for a grade separation structure in the vicinity of Fourteenth Street and Maine Avenue southwest, including the necessary changes in outlet bridge, curbing, roadways and walkways in streets, parks, and other public areas, street

52 Stat. 633.  
23 U. S. C., Supp.  
IV, § 41b.

*Proviso.*  
Professional services.

52 Stat. 636.

R. S. § 3709.  
41 U. S. C. § 5.  
5 U. S. C. §§ 661-674;  
Supp. IV, §§ 673, 673c.

Grading; culverts,  
etc.

Paving center strips.

Minor changes in  
roadways, etc.

Curbs and gutters,  
shoulders, etc.

Surfacing, etc., pave-  
ments.

Bridges, construc-  
tion, repair, etc.

Street, etc., repairs.

*Provisos.*  
Snow removal.

Purchase of asphalt  
plant authorized.

Street railways,  
pavements.

47 Stat. 752.

Proportion of ex-  
penses chargeable to  
railway company.

20 Stat. 105.

Grade separation  
structure, 14th and  
Maine Ave., SW.

Professional services.  
R. S. § 3709.  
41 U. S. C. § 5.

5 U. S. C. §§ 661-674; Supp. IV, §§ 673, 673c.

Additional highway,  
etc., Rock Creek Park.  
Report.

Professional services.  
R. S. § 3709.  
41 U. S. C. § 5.  
5 U. S. C. §§ 661-674;  
Supp. IV, §§ 673, 673c.

Through highway,  
bypass, etc., report.

Professional serv-  
ices.  
R. S. § 3709.  
41 U. S. C. § 5.  
5 U. S. C. §§ 661-674;  
Supp. IV, §§ 673, 673c.

Pennsylvania Ave-  
nue bridge, construc-  
tion.

R. S. § 3709.  
41 U. S. C. § 5.  
5 U. S. C. §§ 661-674; Supp. IV, §§ 673, 673c.

Massachusetts Ave-  
nue bridge, over Rock  
Creek, etc., plans.

R. S. § 3709.  
41 U. S. C. § 5.  
5 U. S. C. §§ 661-674; Supp. IV, §§ 673, 673c.  
Reappropriation of  
unexpended balance.

52 Stat. 188.

railway tracks and underground structures, and including the employment of engineering or other professional services by contract or otherwise, and without reference to section 3709 of the Revised Statutes (41 U. S. C. 5), the Classification Act of 1923, as amended, or the civil-service requirements, and engineering and incidental expenses, \$25,000;

For the preparation of a report for additional highway and parkway facilities in the vicinity of, into and through Rock Creek Park, Rock Creek and Potomac connecting Parkway and National Zoological Park, \$10,000, said report to include such preliminary plans, surveys, and estimates as may be necessary and to be prepared jointly by the National Capital Park Service and the Commissioners of the District of Columbia in cooperation with the National Capital Park and Planning Commission, and including employment of engineering and other professional services by contract or otherwise, without reference to section 3709 of the Revised Statutes (41 U. S. C. 5), or the Classification Act of 1923, as amended, or the civil-service requirements, and including engineering and incidental expenses;

For the preparation of a report by the Commissioners of the District of Columbia in cooperation with such other agencies as may be deemed advisable, for a through highway, parkway or by-pass road including a combination thereof in the District of Columbia to connect with the main routes north and south of adjoining States, \$5,000, said report to include preliminary surveys and estimates for all necessary bridges, grade-separation structures, and highway improvements, and including employment of engineering and other professional services by contract or otherwise, without reference to section 3709 of the Revised Statutes (41 U. S. C. 5), or the Classification Act of 1923, as amended, or the civil-service requirements, and including engineering and incidental expenses;

For continuing the construction of a bridge to replace the bridge in line of Pennsylvania Avenue over the Anacostia River in accordance with plans and profiles to be approved by the Commissioners of the District of Columbia, including construction of and changes in sewer and water mains, traveling expenses in connection with the inspection of material at the point of manufacture, employment of engineering and other professional services, by contract or otherwise, and without reference to section 3709 of the Revised Statutes (41 U. S. C. 5), the Classification Act of 1923, as amended, or the civil-service requirements, and engineering and incidental expenses, \$700,000;

For the construction of a bridge in line of Massachusetts Avenue northwest over Rock Creek and Rock Creek and Potomac Parkway in accordance with plans and profiles to be approved by the Commissioners of the District of Columbia, including necessary changes, construction, and reconstruction of roadways, sidewalks and curbing, construction of and changes in sewer and water mains, fire alarm and police patrol boxes, construction, reconstruction, and relocation of parkway roads, walkways, and such other work as may be necessary, travel expenses in connection with the inspection of material at the point of manufacture, employment of engineering and other professional services by contract or otherwise, without reference to section 3709 of the Revised Statutes (41 U. S. C. 5), or the Classification Act of 1923, as amended, and civil-service requirements, including engineering and incidental expenses, \$175,000, and in addition thereto the unexpended balance of the appropriation of \$125,000 contained in the District of Columbia Appropriation Act for the fiscal year 1939 for the construction of an additional culvert under Massachusetts Avenue northwest, is hereby reappropriated and made available for

the construction of such bridge, and the Commissioners are authorized to enter into contract or contracts for the completion of such bridge at a cost not to exceed \$550,000;

For the construction of a second story to the highway garage, at Second and Bryant Streets Northwest, to provide additional storage space for motor vehicles and other equipment, including the preparation of plans, inspection, construction, and incidental expenses, \$50,000;

To carry out the provisions of existing law which authorize the Commissioners of the District of Columbia to open, extend, straighten, or widen any street, avenue, road, or highway, in accordance with the plan of the permanent system of highways for the District of Columbia, including the procurement of chains of title, \$150,000, to remain available until June 30, 1941: *Provided*, That this appropriation shall be available to carry out the provision of existing law for the opening, extension, widening, or straightening of alleys and minor streets and for the establishment of building lines in the District of Columbia;

For assessment and permit work, paving of roadways under the permit system, and construction and repair of sidewalks and curbs around public reservations and municipal and United States buildings, including purchase or condemnation of streets, roads, and alleys, and of areas less than two hundred and fifty square feet at the intersection of streets, avenues, or roads in the District of Columbia, to be selected by the Commissioners, and including maintenance of non-passenger-carrying motor vehicles, \$150,000;

In all, \$3,890,500, to be immediately available, to be disbursed and accounted for as "Street improvements", and for that purpose shall constitute one fund: *Provided*, That assessments in accordance with existing law shall be made for paving and repaving roadways, alleys, and sidewalks where such roadways, alleys, and sidewalks are paved or repaved with funds herein appropriated: *Provided further*, That any portion of this appropriation may be used for payment to contractors and for other expenses in connection with the expense of design, construction, and inspection of grade-crossing elimination and other construction projects authorized under section 8 of the Act approved June 16, 1936 (49 Stat. 1521), and section 1-b of the Federal Aid Highway Act of 1938 (Public, Numbered 584, Seventy-fifth Congress), pending reimbursement to the District of Columbia by the Department of Agriculture, reimbursement to be credited to fund from which payment was made.

The Commissioners of the District of Columbia are authorized and empowered, in their discretion, to fix or alter the respective widths of sidewalks and roadways (including tree spaces and parking) of all highways that may be improved under appropriations contained in this Act.

No part of any appropriation contained in this Act shall be available for repairing, resurfacing, or paving any street, avenue, or roadway by private contract unless the specifications for such work shall be so prepared as to permit of fair and open competition in paving material as well as in price.

In addition to the provision of existing law requiring contractors to keep new pavements in repair for a period of one year from the date of the completion of the work, the Commissioners of the District of Columbia shall further require that where repairs are necessary during the four years following the said one-year period, due to inferior work or defective materials, such repairs shall be made at the expense of the contractor, and the bond furnished by the contractor shall be liable for such expense.

Contracts for completion.

Highway garage, additional space.

Opening streets, etc., permanent highway system.

*Proviso.*  
Alley improvements, building lines, etc.

Assessment and permit work.

Disbursements, etc.

*Provisos.*  
Assessments under existing law.

Grade-crossing elimination projects.

49 Stat. 1521; 52 Stat. 633.  
23 U. S. C., Supp. IV, §§ 24a, 41b.

Changes in widths of sidewalks and roadways.

Open competition for street improvement contracts.

Repairs for inferior work by contractors required for additional period.

Use of funds for testing laboratory, etc.

No part of the appropriations contained in this Act shall be used for the operation of a testing laboratory of the highways department for making tests of materials in connection with any activity of the District government.

Trees and parkings.

For personal services, trees, and parkings, \$26,840;

For contingent expenses, trees and parkings, including laborers, trimmers, nurserymen, repairmen, teamsters, hire of carts, wagons, or motortrucks, trees, tree boxes, tree stakes, tree straps, tree labels, planting and care of trees, and tree spaces on city and suburban streets, purchase and maintenance of non-passenger-carrying motor vehicles, and miscellaneous items, \$110,000;

Refund of erroneous collections.

Refunding erroneous collections: To enable the Commissioners, in cases where motor-vehicle registration fees, motor-vehicle operators' permit fees, motor-vehicle title fees, motor-vehicle fuel taxes, importers' license fees, special assessments, or collections of any character have been erroneously covered into the Treasury to the credit of the special fund created by the Act entitled "An Act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes", approved April 23, 1924, and the Act entitled "An Act to provide additional revenue for the District of Columbia, and for other purposes", approved August 17, 1937, to refund such erroneous payments, \$1,500: *Provided*, That this appropriation shall also be available for refunding such payments made within the last three fiscal years prior to the fiscal year for which this appropriation is made available: *Provided further*, That this appropriation shall not be available for refunds authorized by section 10 of the Act of April 23, 1924.

43 Stat. 106.

50 Stat. 676.

*Provisos.*  
Availability.

Exception.  
43 Stat. 108.

## WATER SERVICE

From water revenues.

The following sums are appropriated wholly out of the revenues of the water department for expenses of the Washington Aqueduct and its appurtenances and for expenses for Water Department, namely:

### WASHINGTON AQUEDUCT

Maintenance, etc., of aqueducts and accessories.

For operation, including salaries of all necessary employees, maintenance and repair of Washington aqueducts and their accessories, including Dalecarlia, Georgetown, McMillan Park, first and second High Service Reservoirs, Washington aqueduct tunnel, the filtration plants, the pumping plants, and the plant for the preliminary treatment of the water supply, ordinary repairs, grading, opening ditches, and other maintenance of Conduit Road, purchase, installation, and maintenance of water meters on Federal services; purchase, care, repair, and operation of vehicles, including the purchase and exchange of one passenger-carrying motor vehicle at a cost not to exceed \$650; purchase and repair of rubber boots and protective apparel; printing and binding; and for each and every purpose connected therewith, \$478,700.

Meters on Federal services.

Replacements, etc.

For replacement of the filter strainer system at Dalecarlia; motorization of blow-off gate on the Dalecarlia conduit; installation of ventilating air-intake screens for the Dalecarlia hydroelectric station; procurement of portable electric pumping equipment for the city water tunnel; and for each and every purpose connected therewith, \$63,000.

Superintendence of Secretary of War not affected.

Nothing herein shall be construed as affecting the superintendence and control of the Secretary of War over the Washington Aqueduct, its rights, appurtenances, and fixtures connected with the same and over appropriations and expenditures therefor as now provided by law.

## WATER DEPARTMENT

For revenue and inspection and distribution branches: For personal services, \$214,480.

Revenue and inspection and distribution branches.  
Operating expenses.

For the maintenance of the water-department distribution system, including pumping stations and machinery, water mains, valves, fire and public hydrants, and all buildings and accessories, and motor-trucks, and motor vehicles such as are now owned, and the replacement by purchase and exchange of the following motor-propelled vehicles: Two trucks at not to exceed \$600 each; one truck at not to exceed \$1,000; two trucks at not to exceed \$3,000 each; and one special truck at not to exceed \$4,000; and one passenger-carrying automobile at not to exceed \$650; purchase of fuel, oils, waste, and other materials, and the employment of all labor necessary for the proper execution of this work; and for contingent expenses including books, blanks, stationery, printing and binding not to exceed \$3,300; postage, purchase of technical reference books and periodicals not to exceed \$275, and other necessary items; in all for maintenance, \$357,220, of which not exceeding \$5,000 shall be available for operation of pumps at Bryant Street pumping station upon interruption of service from Dalecarlia pumping station.

For extension of the water department distribution system, laying of such service mains as may be necessary under the assessment system, \$225,000.

Extension of distribution system.

For installing and repairing water meters on services to private residences and business places as may not be required to install meters under existing regulations, as may be directed by the Commissioners; said meters at all times to remain the property of the District of Columbia, \$220,000.

Meters.

For installing fire and public hydrants, \$22,500.

Hydrants.

For replacement of old mains and divide valves in various locations, on account of inadequate size and bad condition of pipe on account of age, and laying mains in advance of pavements, \$135,000.

Replacement of old mains, etc.

For investment by the Secretary of the Treasury in United States securities for the account of the water fund of the District of Columbia, \$500,000.

Investment of water funds.

For the refunding of water rents and other water charges erroneously paid in the District of Columbia, to be refunded in the manner prescribed by law for the refunding of erroneously paid taxes, \$3,500: *Provided*, That this appropriation shall be available for such refunds of payments made within the past two years.

Refund of erroneous charges.

*Proviso.*  
Availability.

For the construction of approximately six thousand two hundred linear feet of forty-eight inch trunk line water-main, including control cables, from the Bryant Street Pumping Station to the first high service reservoir in the grounds of the United States Soldiers' Home, \$200,000, to continue available until June 30, 1941.

Connecting main, Bryant Street station to U. S. Soldiers' Home.

Pumps, Anacostia and Reno stations: For additional pumping equipment at the Anacostia and Reno pumping stations, including necessary appurtenances, and including alterations in existing piping, \$20,000.

Anacostia and Reno stations, pumps.

SEC. 2. That the services of draftsmen, assistant engineers, levelers, transitmen, rodmen, chainmen, computers, copyists, overseers, and inspectors temporarily required in connection with sewer, water, street, street-cleaning, or road work, or construction and repair of buildings and bridges, or any general or special engineering or construction work authorized by appropriations may be employed exclusively to carry into effect said appropriations when specifically and in writing ordered by the Commissioners, and all such necessary expenditures for the proper execution of said work shall be paid from and equitably

Services of draftsmen, etc., temporarily required.



*Proviso.*  
Limitation.

Maximum period of  
employment.

D. C. Unemploy-  
ment Compensation  
Act, contributions.

49 Stat. 946.

Temporary labor,  
etc.

Horses, vehicles, etc.

*Proviso.*  
Temporary work,  
etc.

Miscellaneous trust-  
fund deposits.  
Expenses payable  
from.

33 Stat. 368.

charged against the sums appropriated for said work; and the Commissioners in their Budget estimates shall report the number of such employees performing such services, and their work, and the sums paid to each, and out of what appropriation: *Provided*, That the expenditures hereunder shall not exceed \$42,000 during the fiscal year 1940: *Provided further*, That, excluding inspectors in the sewer department, one inspector in the electrical department, and one inspector in the repair shop, no person shall be employed in pursuance of the authority contained in this paragraph for a longer period than nine months in the aggregate during the fiscal year.

Appropriations in this Act shall be available for payment by the District of Columbia of its contributions as an employer, in accordance with the provisions of the District of Columbia Unemployment Compensation Act (49 Stat. 946).

The Commissioners, or their duly designated representatives, are further authorized to employ temporarily such laborers, skilled laborers, drivers, hostlers, and mechanics as may be required exclusively in connection with sewer, water, street, and road work, and street cleaning, or the construction and repair of buildings, and bridges, furniture and equipments, and any general or special engineering or construction or repair work, and to incur all necessary engineering and other expenses, exclusive of personal services, incidental to carrying on such work and necessary for the proper execution thereof, said laborers, skilled laborers, drivers, hostlers, and mechanics to be employed to perform such work as may not be required by law to be done under contract, and to pay for such services and expenses from the appropriations under which such services are rendered and expenses incurred.

SEC. 3. That all horses, harness, horse-drawn vehicles necessary for use in connection with construction and supervision of sewer, street, street lighting, road work, and street-cleaning work, including maintenance of said horses and harness, and maintenance and repair of said vehicles, and purchase of all necessary articles and supplies in connection therewith, or on construction and repair of buildings and bridges, or any general or special engineering or construction work authorized by appropriations, may be purchased, hired, and maintained, and motortrucks may be hired exclusively to carry into effect said appropriations, when specifically and in writing ordered by the Commissioners; and all such expenditures necessary for the proper execution of said work, exclusive of personal services, shall be paid from and equitably charged against the sums appropriated for said work; and the Commissioners in the Budget estimates shall report the number of horses, vehicles, and harness purchased, and horses and vehicles hired, and the sums paid for same, and out of what appropriation; and all horses owned or maintained by the District shall, so far as may be practicable, be provided for in stables owned or operated by said District: *Provided*, That such horses, horse-drawn vehicles, and carts as may be temporarily needed for hauling and excavating material in connection with works authorized by appropriations may be temporarily employed for such purposes under the conditions named in section 2 of this Act in relation to the employment of laborers, skilled laborers, and mechanics.

SEC. 4. That the Commissioners are authorized to employ in the execution of work, the cost of which is payable from the appropriation account created in the District of Columbia Appropriation Act, approved April 27, 1904, and known as the miscellaneous trust-fund deposits, District of Columbia, necessary personal services, horses, carts, and wagons, and to hire therefor motortrucks when specifically and in writing authorized by the Commissioners, and to incur all

necessary expenses incidental to carrying on such work and necessary for the proper execution thereof, including the purchase, exchange, maintenance, and operation of motor vehicles for inspection and transportation purposes, such services and expenses to be paid from said appropriation account: *Provided*, That the Commissioners may delegate to their duly authorized representatives the employment under this section of laborers, mechanics, and artisans.

*Proviso.*  
Employment of labor.

SEC. 5. That the Commissioners and other responsible officials, in expending appropriations contained in this Act, so far as possible, shall purchase material, supplies, including food supplies and equipment, when needed and funds are available, in accordance with the regulations and schedules of the procurement Division of the Treasury Department or from various services of the Government of the United States possessing materials, supplies, passenger-carrying and other motor vehicles, and equipment no longer required. Surplus articles purchased from the Government, if the same have not been used, shall be paid for at a reasonable price, not to exceed actual cost, and if the same have been used, at a reasonable price based upon length of usage. The various services of the Government of the United States are authorized to sell such surplus articles to the municipal government under the conditions specified, and the proceeds of such sales shall be covered into the Treasury as miscellaneous receipts: *Provided*, That this section shall not be construed to amend, alter, or repeal the Executive order of December 3, 1918, concerning the transfer of office materials, supplies, and equipment in the District of Columbia falling into disuse because of the cessation of war activities.

Material, supplies, vehicles, etc.  
Purchase.

Surplus articles;  
price basis.

*Proviso.*  
Transfers under Executive order.

SEC. 6. No part of the funds appropriated in this Act shall be available for the payment of rental of quarters for any activity at a rate in excess of 90 per centum of the per annum rate paid by the District of Columbia for such quarters on June 30, 1933: *Provided*, That the provisions of this paragraph shall not apply to leases made prior to the passage of this Act, except when renewals thereof are made hereafter: *Provided further*, That the appropriations or portions of appropriations unexpended by reason of the operation of this paragraph shall not be used for any purpose, but shall be impounded and deposited in the Treasury to the credit of the District of Columbia.

Rent limitation.

*Provisos.*  
Prior leases.

Unexpended balances to be covered in.

SEC. 7. Appropriations contained in this Act shall be used to pay increases in the salaries of officers and employees by reason of the reallocation of the position of any officer or employee by the Civil Service Commission, and administrative promotions within the several grades: *Provided*, That the total reallocation increases under such appropriations shall not exceed \$35,000 and administrative promotions shall not exceed \$50,000: *Provided further*, That such reallocation increases and administrative promotions shall be subject to the approval of the Commissioners of the District of Columbia.

Pay increases by reallocation of position and administrative promotions.

*Provisos.*  
Limitation.

Approval.

SEC. 8. Section 3709 of the Revised Statutes of the United States shall not be construed to apply to any purchase made or service rendered under the appropriations contained in this Act when the aggregate amount does not exceed the sum of \$50.

Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.

SEC. 9. No part of this appropriation shall be available for any expense for or incident to the issuance of congressional tags except to those persons set out in the Act of December 19, 1932 (47 Stat. 750), including the Speaker and the Vice President.

Congressional tags.

47 Stat. 750.

SEC. 10. This Act may be cited as the "District of Columbia Appropriation Act, 1940".

Short title.

Approved, July 15, 1939.

## [CHAPTER 282]

## AN ACT

July 15, 1939  
[S. 840]  
[Public, No. 177]

To amend and clarify the provisions of the Act of June 15, 1936 (49 Stat. 1507), and for other purposes.

Army.  
Hospitalization, etc.,  
of persons in active  
military service with-  
out reference to line-  
of-duty status.  
49 Stat. 1507.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That neither of the provisions of the Act of June 15, 1936 (49 Stat. 1507), nor any other law of the United States shall be construed as limiting the power and authority of the Secretary of War, under such regulations as he may prescribe, to require the hospitalization and medical treatment of persons in the active military service, and to incur obligations with respect thereto, without reference to their line-of-duty status: *Provided*, That this Act shall not apply to officers and enlisted men who are treated in private hospitals or by civilian physicians while on furloughs or leaves of absence in excess of twenty-four hours.

Approved, July 15, 1939.

*Proviso.*  
*Exceptions.*

## [CHAPTER 283]

## AN ACT

July 15, 1939  
[S. 1020]  
[Public, No. 178]

To authorize the purchase of equipment and supplies for experimental and test purposes.

War Department.  
Purchase of equip-  
ment and supplies for  
experimental pur-  
poses, etc., author-  
ized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War may, at his discretion, purchase abroad or in the United States with or without competition, by contract or otherwise, such ordnance, signal, and chemical-warfare equipment, supplies, parts, accessories, or designs thereof, as may be necessary in his judgment for experimental or test purposes in the development of the best kind of equipment and supplies required for the national defense. Nothing herein contained shall be construed to waive or alter the provisions of Revised Statutes, section 3709, when purchases are made in quantity.

Approved, July 15, 1939.

Contract provisions.  
R. S. § 3709.  
41 U. S. C. § 5.

## [CHAPTER 284]

## AN ACT

July 15, 1939  
[S. 1021]  
[Public, No. 179]

To extend the benefits of the United States Employees' Compensation Act to members of the Officers' Reserve Corps and of the Enlisted Reserve Corps of the Army who are physically injured in line of duty while performing active duty or engaged in authorized training, and for other purposes.

U. S. Employees'  
Compensation Act.  
Benefits extended to  
members of Officers'  
Reserve Corps, etc.,  
on active duty in time  
of peace.  
39 Stat. 742.  
5 U. S. C. ch. 15;  
Supp. IV, ch. 15.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That if in time of peace any member of the Officers' Reserve Corps or of the Enlisted Reserve Corps of the Army is physically injured in line of duty (1) while on active duty, or (2) when engaged in authorized travel to and from such duty, or (3) when engaged in authorized training without pay, or dies as the result of such physical injury, he or his beneficiary shall be entitled to all the benefits prescribed by law for civil employees of the United States who are physically injured in line of duty or who die as a result thereof, and the United States Employees' Compensation Commission shall have jurisdiction in such cases and shall perform the same duties with reference thereto as in the cases of civil employees of the United States so injured: *Provided*, That the benefits shall accrue to any such member, or his beneficiary, whether the disability or death is the result of sickness or disease contracted in line of duty while on active duty when such sickness or disease is proximately caused by service on active duty:

Jurisdiction of Em-  
ployees' Compensa-  
tion Commission.

*Provisos.*  
*Status clarified.*

*Provided further*, That employees' compensation under this Act shall not be paid concurrently with active-duty pay or pension based upon military service, and in the event a person becomes eligible for the benefits of the United States Employees' Compensation Act and is also eligible for, or is in receipt of, a pension based upon military service, he shall elect which benefit to receive: *Provided further*, That authorized training without pay is defined as inactive-status training under written authorization by competent military authority covering a specific training assignment and prescribing a time limit: *Provided further*, That for the purpose of determining the benefits to which entitled under the provisions of this Act members of the Officers' Reserve Corps or of the Enlisted Reserve Corps of the Army physically injured when engaged in authorized training without pay will be held and considered as receiving the pay and allowances they would have received if in a pay status: *Provided further*, That Reserve Officers entitled to the benefits of the last proviso of section 5 of the Act of April 3, 1939 (Public, Numbered 18, Seventy-sixth Congress), shall not be entitled to the benefits of this Act: *And provided further*, That nothing herein shall be construed to authorize compensation benefits for any period prior to the approval of this Act.

Approved, July 15, 1939.

Benefits not paid concurrently with active-duty pay, etc.  
Choice where also eligible to pension.

Authorized training without pay, definition.

Benefits for injuries when so engaged.

Disqualification if entitled to benefits under designated Act.  
*Ante*, p. 557.

No prior benefits.

#### [CHAPTER 285]

##### AN ACT

To provide for acceptance and cashing of Government pay checks of retired naval personnel and members of the Naval and Marine Corps Reserves by commissary stores and ship's stores ashore, located outside the continental limits of the United States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That notwithstanding the provisions of section 3639 and 3651, Revised Statutes, as amended (31 U. S. C. 521, 543), the Secretary of the Navy, in his discretion, may hereafter authorize the officer in charge of any commissary store or ship's store ashore, located outside the continental limits of the United States, to accept Government checks tendered by retired personnel of the Navy and Marine Corps and by members of the Naval and Marine Corps Reserves in payment of amounts due by such personnel to any such commissary store or ship's store ashore, and to refund, in cash, to the payees of the tendered checks any difference between the amounts due and the amounts of the tendered checks.

Approved, July 15, 1939.

July 15, 1939  
[S. 1118]

[Public, No. 180]

Government pay checks.  
Acceptance of, by certain commissary stores, etc., from designated personnel.  
R. S. §§ 3639, 3651.  
31 U. S. C. §§ 521, 543.

#### [CHAPTER 286]

##### AN ACT

To authorize the payment of burial expenses and expenses in connection with last illness and death of native employees who die while serving in offices abroad of executive departments of the United States Government.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the head of any executive department, which maintains permanent staffs of employees in foreign countries is hereby authorized to pay out of any appropriation available to the department concerned for miscellaneous or contingent expenses, burial expenses, and expenses in connection with last illness and death, not in excess of \$100 in any one case, of the native employees of such department in those countries with respect to which the Secretary of State shall determine it is

July 15, 1939  
[S. 1323]

[Public, No. 181]

Native employees serving in offices abroad of executive departments.  
Payment of burial, etc., expenses in certain countries, authorized.  
Limitation.

Payments in certain  
destitute cases, au-  
thorized.

customary for employers to pay such expenses; and the head of any executive department, which maintains permanent staffs of employees in foreign countries where such custom does not exist, is authorized, upon finding that the immediate family of the deceased is destitute, to make such payments within the limitations prescribed above to the family, heirs-at-law, or persons responsible for the debts of the deceased, as the officer in charge of the office abroad in which the deceased was employed shall determine to be proper.

Approved, July 15, 1939.

#### [CHAPTER 287]

#### AN ACT

July 15, 1939

[S. 2096]

[Public, No. 182]

To amend section 4a of the Act entitled "An Act for making further and more effectual provision for the national defense, and for other purposes", approved June 3, 1916, as amended.

National Defense  
Act, amendment.

41 Stat. 761.  
10 U. S. C. § 593.

Warrant officers, ad-  
justment of relative  
rank.

Army Mine Planter  
Service added.

*Proviso.*  
Rank aboard vessels.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 4a of the Act entitled "An Act for making further and more effectual provision for the national defense, and for other purposes", approved June 3, 1916, as amended (41 Stat. 761), be, and the same is hereby, amended by striking out the last clause thereof reading as follows: "and shall take rank next below second lieutenants and among themselves according to the dates of their respective warrants" and inserting in lieu thereof the following: "and all warrant officers, including those of the Army Mine Planter Service, shall take rank next below second lieutenants and among themselves according to the dates of their respective warrants: *Provided*, That aboard their vessels, warrant officers of the Army Mine Planter Service shall take rank among themselves, in the order, master, chief engineer, first mate, assistant engineer, second mate, each according to the date of appointment to such rating".

Approved, July 15, 1939.

#### [CHAPTER 288]

#### AN ACT

July 15, 1939

[S. 2503]

[Public, No. 183]

To amend an Act entitled "An Act to authorize the establishment of a permanent instruction staff at the United States Coast Guard Academy", approved April 16, 1937.

Coast Guard Acad-  
emy.  
50 Stat. 67.  
14 U. S. C., Supp.  
IV, § 15h.

Congressional Board  
of Visitors, appoint-  
ment.

*Proviso.*  
Substitutes for orig-  
inal appointees.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 7 of the Act of April 16, 1937 (50 Stat. 67; U. S. C., 1934 edition, Supp. IV, title 14, sec. 15h), is hereby amended by striking out the first paragraph and inserting in lieu thereof the following:

"In addition to the Advisory Board, there shall be appointed in January of each year a Board of Visitors to the Coast Guard Academy, which shall consist of two Senators and three Members of the House of Representatives, appointed by the chairmen of the committees of the Senate and the House of Representatives, respectively, having cognizance of legislation pertaining to the Coast Guard Academy, the chairmen of said committees being ex officio members of the Board, and of one Senator and two Members of the House of Representatives appointed by the President of the Senate and the Speaker of the House of Representatives, respectively: *Provided*, That whenever a member or an ex officio member is unable to attend the annual meeting as provided in paragraph (b) of this section another member may be appointed in his stead in the manner as herein provided but without restriction as to month of appointment."

Approved, July 15, 1939.

## [CHAPTER 289]

## AN ACT

To amend section 1223 of the Revised Statutes of the United States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 1223 of the Revised Statutes of the United States be amended by adding at the end thereof the following proviso: "*Provided, however, That the foregoing provision shall not apply to any officer of the Army on the retired list.*"

Approved, July 15, 1939.

July 15, 1939  
[S. 2539]  
[Public, No. 184]

Army officers on retired list, appointments in Foreign Service.  
10 U. S. C. § 577.

## [CHAPTER 290]

## JOINT RESOLUTION

To amend the Act to authorize alterations and repairs to certain naval vessels, and for other purposes, approved April 20, 1939.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act to authorize alterations and repairs to certain naval vessels, and for other purposes, approved April 20, 1939 (Public, Numbered 37, Seventy-sixth Congress), be, and the same is hereby, amended by striking out in the proviso the figures "\$5,000,000" and inserting in lieu thereof "\$5,500,000", so as to make the proviso read: "*Provided, That the total cost of such alterations and repairs shall not exceed \$5,500,000.*"

Approved, July 15, 1939.

July 15, 1939  
[S. J. Res. 126]  
[Pub. Res., No. 28]

Navy.  
Alterations, etc., of certain vessels, cost limitation modified.  
*Ante*, p. 582.

## [CHAPTER 291]

## JOINT RESOLUTION

Authorizing the President of the United States of America to proclaim October 11, 1939, General Pulaski's Memorial Day for the observance and commemoration of the death of Brigadier General Casimir Pulaski.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President of the United States of America is authorized to issue a proclamation calling upon officials of the Government to display the flag of the United States on all governmental buildings on October 11, 1939, and inviting the people of the United States to observe the day in schools and churches, or other suitable places, with appropriate ceremonies in commemoration of the death of General Casimir Pulaski.

Approved, July 15, 1939.

July 15, 1939  
[H. J. Res. 133]  
[Pub. Res., No. 29]

General Pulaski's Memorial Day.  
President authorized to invite observance.

## [CHAPTER 313]

## AN ACT

To provide that the annual registration of motor vehicles and the annual licensing of certain public vehicles in the District of Columbia shall be for the period from April 1 in each year to March 31 in the succeeding year.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That paragraph (c) of section 2 of title IV of the District of Columbia Revenue Act of 1937, as amended, is amended to read as follows:

"(c) Every registration made under this title shall expire at midnight on the last day of the registration year for which the registration was made, unless the time be extended by the Commissioners. Any such registration may be renewed for the ensuing registration year upon application made by the owner during the months of February and March, and upon payment of the fees required by law. During the month of March it shall be lawful to operate a motor vehicle

July 17, 1939  
[S. 1575]  
[Public, No. 185]

District of Columbia.  
Motor vehicles.  
52 Stat. 359.

Registration, expiration date.

Renewals.

Beginning of registration year.

*Proviso.*  
Extension of period ending February 29, 1940.

Registration application received after October 1; fee.  
52 Stat. 360.

Public vehicles, fees.  
*Ante*, p. 570.

47 Stat. 555.  
20 D. C. Code, Supp. IV, § 1731(c), (d); 1733.

Vehicles of eight passenger, etc., capacity.

Display of license.

Date of licenses.

*Proviso.*  
Expiration provision; fee.

Other passenger vehicles.

Public stands.

46 Stat. 1426.  
6 D. C. Code, Supp. IV, § 243 (e).  
Police regulations.

Date of licenses.

*Proviso.*  
Expiration provision; fee.

Vehicles for hire used in hauling goods, etc.  
*Ante*, p. 570.  
Stands.

46 Stat. 1426.  
6 D. C. Code, Supp. IV, § 243 (e).  
Date of licenses.

*Proviso.*  
Expiration provision; fee.

Act repealed.

registered for the ensuing registration year. For the purposes of this title, a registration year shall be deemed to begin on April 1 and end on March 31: *Provided*, That motor vehicles that may have been registered for the period ending February 29, 1940, shall be deemed to be registered for the registration year ending March 31, 1940."

SEC. 2. Paragraph (c) of section 3 of such title, as amended, is amended by striking out "September" and inserting in lieu thereof "October."

SEC. 3. That subparagraphs (c) and (d) of paragraph 31 and paragraph 33 of an Act entitled "An Act to amend section 7 of an Act entitled 'An Act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes', approved July 1, 1902, and for other purposes", approved July 1, 1932, are amended to read as follows:

"(c) Owners of passenger vehicles for hire having a seating capacity of eight passengers or more, in addition to the driver or operator, other than those licensed in the preceding subparagraph, shall pay a license tax of \$100 per annum for each vehicle used. No such vehicle shall be operated unless there shall be conspicuously displayed therein a license issued under the terms of this subparagraph. Licenses issued under this subparagraph shall date from April 1 of each year, but may be issued on or after March 15 of such year: *Provided, however*, That all licenses issued for a period prior to April 1, 1940, shall expire on March 31, 1940, and the license fee therefor shall be prorated accordingly.

"(d) Owners of passenger vehicles for hire, whether operated from a private establishment or from public space, other than those licensed in the two preceding subparagraphs, shall pay a license tax of \$25 per annum for each such vehicle used in the conduct of their business. Stands for such vehicles upon public space, adjacent to hotels or otherwise, may be established in the manner provided in section 6 (e) of the Act entitled 'An Act to amend the Acts approved March 3, 1925, and July 3, 1926, known as the District of Columbia Traffic Acts, and so forth'. The Public Utilities Commission is hereby authorized to make and enforce all such reasonable and usual police regulations as it may deem necessary for the proper conduct, control, and regulation of all vehicles described in this and the preceding subparagraphs and paragraph 33 hereof. Licenses issued under this subparagraph shall date from April 1 of each year, but may be issued on or after March 15 of such year: *Provided, however*, That all licenses issued for a period prior to April 1, 1940, shall expire on March 31, 1940, and the license fee therefor shall be prorated accordingly.

"PAR. 33. Owners of vehicles for hire, used in hauling goods, wares, or merchandise, and operating from public space, shall pay a license tax of \$25 per annum for each vehicle. Stands for such vehicles upon public space may be established in the manner provided in section 6 (e) of the Act entitled 'An Act to amend the Acts approved March 3, 1925, and July 3, 1926, known as the District of Columbia Traffic Acts, and so forth'. Licenses issued under this subparagraph shall date from April 1 of each year, but may be issued on or after March 15 of such year: *Provided, however*, That all licenses issued for a period prior to April 1, 1940, shall expire on March 31, 1940, and the license fee therefor shall be prorated accordingly."

"SEC. 4. That an Act entitled 'An Act to amend paragraphs 31 and 33 of an Act entitled "An Act to amend section 7 of an Act entitled

'An Act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes', approved July 1, 1902, and for other purposes", approved July 1, 1932" (Public, Numbered 24, Seventy-sixth Congress), approved April 5, 1939, is hereby repealed."

Approved, July 17, 1939.

*Ante*, p. 570.

[CHAPTER 314]

AN ACT

Authorizing Federal participation in the commemoration and observance of the four-hundredth anniversary of the explorations of Francisco Vazquez de Coronado.

July 17, 1939  
[S. 2197]  
[Public, No. 186]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there is hereby established a Commission, to be known as the United States Coronado Exposition Commission (hereinafter referred to as the "Commission"), to be composed of the Vice President, the Speaker of the House of Representatives, the Secretary of the Interior, and the Secretary of Commerce; which Commission shall serve without additional compensation and shall represent the United States in connection with the holding of an exposition and celebration during the observance and commemoration of the four-hundredth anniversary of the exploration of the States of New Mexico, Arizona, Colorado, Texas, Oklahoma, and Kansas by Francisco Vazquez de Coronado.

Four hundredth anniversary of the explorations of Francisco Vazquez de Coronado.  
Commission established; composition, duties, etc.

SEC. 2. The heads of the various executive departments and independent offices and establishments of the Government are authorized to cooperate with the Commission in the procurement, installation, and display of exhibits, and to lend to the Commission and to the Coronado Cuatro Centennial Commission, established by an Act of the Legislature of the State of New Mexico, for exhibition during the period of such observance and commemoration such articles, materials, documents, specimens, exhibits, or papers in the possession of the Government which the Commission shall deem to be in the interest of the United States and in keeping with the purposes of such commemoration and observance and which relate to the exploration of such States, or illustrate the function and administrative faculty of the Government in the advancement of industry, science, invention, agriculture, the arts, and peace, or demonstrate the nature of our institutions, particularly with regard to their adaptation to the needs of the people. Any such articles, materials, documents, specimens, exhibits, or papers so lent, shall be lent only under such conditions as will assure their return in good condition and without expense to the Government.

Cooperation by Government agencies.

SEC. 3. The Commission is authorized and directed to prepare, print, bind, and distribute a pamphlet on the explorations of Francisco Vazquez de Coronado, and for such purpose is authorized to have printing, binding, photolithography, and other work done at establishments other than the Government Printing Office.

Descriptive pamphlet to be prepared, printed, and distributed.

SEC. 4. The Commission is authorized to procure advice and assistance from any governmental agency and to procure advice and assistance from and cooperate with individuals and agencies, public or private. The Commission is authorized to accept and utilize voluntary and uncompensated services of any person and, without additional compensation, the services of such experts, consultants, research assistants, clerks, and stenographers as may be detailed by the heads of the various executive departments and establishments of the Government for the purpose of assisting the Commission to carry out the provisions of this Act.

Advice and assistance authorized.

Personal services.

Conditions of loans.



Appropriation au-  
thorized for partici-  
pation expenses.  
*Post*, p. 1307.

Monument, erection.

Allocations.

Accounts and  
vouchers.

Labor wage rates.  
46 Stat. 1494.  
40 U. S. C. § 276a;  
Supp. IV, § 276a.

Report to Congress.

SEC. 5. There is hereby authorized to be appropriated the sum of \$250,000 for the purpose of carrying out the provisions of this Act, and such sum when appropriated shall remain available until expended. Subject to the provisions of this Act and any subsequent Act appropriating the money authorized herein, the Commission is authorized to make any expenditures or allotments deemed necessary by it to fulfill properly the purposes of this Act (including the expenditure of not to exceed \$10,000 for the erection of a suitable monument at or near the point on the international boundary between the United States and Mexico where Coronado first entered what is now the United States) and to allocate such sums to the said Coronado Cuatro Centennial Commission for expenditure as the Commission deems necessary and proper in carrying out the purposes of this Act for (1) the erection of monuments; (2) the erection and enlargement of museum facilities for the housing of historical and anthropological material and material illustrative of the arts and crafts of such States; (3) the preparation and publication of historical pamphlets; (4) aiding in defraying the expenses of National, State, and local programs in celebration of such anniversary; and (5) aiding in defraying any other expenses incurred in properly observing and commemorating such anniversary.

All amounts and vouchers covering expenditures shall be approved by such person as the Commission may designate, but this provision shall not be construed to waive the submission of accounts and vouchers to the General Accounting Office for audit, nor to permit any obligations to be incurred in excess of the amount authorized to be appropriated herein. In the construction of buildings and exhibits requiring skilled and unskilled labor, the prevailing rate of wages, as provided in the Act of March 3, 1931, shall be paid.

SEC. 6. The Commission shall transmit to Congress on or before January 3, 1941, a detailed statement of the manner of expenditure of any funds appropriated pursuant to the authorization contained in this Act.

Approved, July 17, 1939.

#### [CHAPTER 315]

#### AN ACT

To authorize an exchange of lands at the Fort Francis E. Warren Military Reservation, Wyoming.

July 17, 1939

[S. 2336]

[Public, No. 187]

Fort Francis E.  
Warren Military Res-  
ervation, Wyo.  
Exchange of por-  
tions, authorized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War is hereby authorized to convey to N. P. Black, of Cheyenne, Wyoming, all right, title, and interest of the United States to a portion of the Fort Francis E. Warren Military Reservation, Wyoming, consisting of twenty-five acres, more or less, and to convey another portion of the reservation consisting of ten acres, more or less, to the city of Cheyenne, Wyoming, and to accept in exchange for such conveyances a deed from the said N. P. Black, conveying a fee-simple title to a tract of land consisting of thirty-five acres, more or less, lying contiguous to the reservation, the three conveyances to be made under such terms and conditions as may be prescribed by the Secretary of War.

Approved, July 17, 1939.

## [CHAPTER 316]

## AN ACT

To make effective the provisions of the Officers' Competency Certificates Convention, 1936.

July 17, 1939  
[H. R. 3576]  
[Public, No. 188]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That title 52 of the Revised Statutes is amended by inserting after section 4438 thereof a new section designated section 4438a, to read as follows:

"SEC. 4438a. (1) That the Officers' Competency Certificates Convention, 1936 (International Labor Organization Draft Convention Numbered 53, 'concerning the minimum requirement of professional capacity for masters and officers on board merchant ships'), as ratified by the President on September 1, 1938, with understandings appended, and this section shall apply to all vessels, however propelled, navigating on the high seas, which are registered, enrolled and licensed, or licensed under the laws of the United States, whether permanently, temporarily, or provisionally, including yachts enrolled and licensed, or licensed, with the exception of—

"(a) ships of war;

"(b) Government vessels, or vessels in the service of a public authority, which are not engaged in trade;

"(c) wooden ships of primitive build, such as dhows and junks;

"(d) unriggered vessels;

"(e) all vessels of less than two hundred gross tons.

"(2) All laws in effect on the effective date of this section covering the issuance, duration, renewal, suspension, and revocation of licenses of masters, mates, chief engineers, and assistant engineers be, and they are hereby, made applicable to the issuance, duration, renewal, suspension, or revocation of licenses of masters, mates, chief engineers, and assistant engineers of all vessels to which the Officers' Competency Certificates Convention, 1936, and this section apply, to such extent and upon such conditions as may be required by the regulations of the Board of Supervising Inspectors with the approval of the Secretary of Commerce: *Provided*, That examinations for licenses of masters, mates, chief engineers, and assistant engineers of fishing vessels, not subject to the inspection laws of the United States, shall be oral: *Provided further*, That applicants for licenses as masters, mates, chief engineers, and assistant engineers of fishing vessels not subject to the inspection laws of the United States shall not be required to obtain a certificate from the United States Public Health Service based upon the subject of ship sanitation, and first aid.

"(3) Any license issued (whether before, or on, or after, the effective date of this section) to a master, mate, chief engineer, or assistant engineer of a vessel to which this section applies shall be deemed to be a certificate of competency for a master or skipper, navigating officer in charge of a watch, chief engineer, or engineer in charge of a watch, respectively.

"(4) No person shall be engaged to perform, or shall perform on board any vessel to which this section applies, the duties of master, mate, chief engineer, or assistant engineer unless he holds a license to perform such duties, issued in accordance with the provisions of subsection 2 of this section: *Provided*, That a license as master, mate, chief engineer, or assistant engineer of vessels subject to this section may be issued without examination at any time prior to October 29, 1941, to any applicant who has had sufficient practical experience in the position for which he applies to be licensed and has no record of any serious technical error against him: *Provided further*, That no person to whom a license as master, mate, chief engineer, or assistant engineer is issued without examination may

Officers' Competency Certificates Convention, 1936.  
R. S. § 4438.  
46 U. S. C. § 224.  
Vessels to which Convention and Act shall apply.  
*Ante*, p. 554.

Exceptions.

Licenses, laws and regulations applicable.

*Prorisos.*  
Examinations for licenses of masters, etc., of fishing vessels.

Public Health Service certificate requirements; applicants exempt.

Licenses issued to masters, etc., of certain vessels deemed certificates of competency.

License required for performance of duties.

*Prorisos.*  
Issue without examination prior to October 29, 1941; conditions.

Vessels subject to inspection laws.

Penalty for violation.	serve under authority of that license as master, mate, chief engineer, or assistant engineer on any vessel subject to the inspection laws of the United States.
Enforcement provisions.	“(5) It shall be unlawful to engage or employ any person or for any person to serve as a master, mate, or engineer on any such vessel who is not licensed by the inspectors; and anyone violating this section shall be liable to a penalty of \$100 for each offense.
Detention of vessel.	“(6) If any collector of customs has reason to believe, on complaint or otherwise, that a vessel subject to this section and to the regulations established thereunder is about to proceed to the high seas from a port in the United States or any Territory over which the United States exercises jurisdiction, except the Philippine Islands and the Panama Canal Zone, in violation of any provision of this section or of any provision of the Officers' Competency Certificates Convention, 1936, he may, by written order served on the master or officer in charge of such vessel, detain her until such time as this section shall have been complied with. Clearance shall be refused to any vessel which shall have been ordered detained. If the vessel be ordered detained the master may, within five days, appeal to the Secretary of Commerce, who may, after investigation, affirm, set aside, or modify the order of the collector.
Appeal, effect of.	“(7) Foreign vessels to which the Officers' Competency Certificates Convention, 1936, applies shall be subject to such inspection, within the jurisdiction of the United States, except the Philippine Islands and the Panama Canal Zone, as may be necessary to determine that there has been a compliance with the terms of the convention, and in case of any breach of the provisions of the convention by such vessel the collector of customs may, by written order served on the master or officer in charge of such vessel, detain her and refuse clearance to her until such time as the convention shall have been complied with; the collector shall also immediately notify the consul of the country in which the vessel is registered. If the vessel be ordered detained the master may, within five days, appeal to the Secretary of Commerce, who may, after investigation, affirm, set aside, or modify the order of the collector.
Inspection of foreign vessels to which Convention applies.	“(8) No provision of the Officers' Competency Certificates Convention, 1936, or of this section, shall apply to any vessel of the United States of less than two hundred gross tons, nor shall any provision of that convention or this section be deemed to alter, amend, or repeal any statute of the United States in effect on the effective date of this section with regard to any such vessel.
Detention, if breach of provisions found.	“(9) The Secretary of Commerce shall establish such regulations as may be necessary to secure the enforcement of the provisions of this section by any officer of the United States authorized to enforce the navigation or inspection laws of the United States.
Notice to consul of country in which vessel is registered. Appeal, effect of.	“(10) The Secretary of Commerce or any officer of the Department of Commerce authorized by the Secretary of Commerce may, upon application therefor, remit or mitigate any fine or penalty incurred under this section or any regulation thereunder.
Provisions not applicable to U. S. vessels of less than 200 gross tons, etc. <i>Ante</i> , p. 554.	“(11) No provision of the Officers' Competency Certificates Convention, 1936, nor of this section, shall apply to any vessel, however propelled, navigating on the Great Lakes.
Regulations to be established.	“(12) Where used in this section—
Remission or mitigation of fine.	“(a) the term ‘high seas’ means all waters outside the line dividing the inland waters from the high seas, as defined in section 2 of the Act of February 19, 1895;
Vessels on Great Lakes exempted.	“(b) the term ‘unrigged vessel’ means any vessel that is not self-propelled.
Terms defined. “High seas.” 28 Stat. 672. 33 U. S. C. § 151.	
“Unrigged vessel.”	

“(13) Nothing contained in the Officers’ Competency Certificates Convention, 1936, nor in this section, shall be deemed to extend any provision of section 2 of the Act of March 4, 1915, as amended (U. S. C., 1934 edition, Supp. IV, title 46, sec. 673), or to alter, modify, or repeal any statute of the United States in effect on the effective date of this section, except as hereinbefore provided.

“(14) This section shall become effective on October 29, 1939: *Provided*, That licenses may be issued by boards of local inspectors in accordance with the provisions of this section at any time prior to such date.

“(15) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this section.”

Approved, July 17, 1939.

Labor, etc., provisions.

33 Stat. 1164.  
46 U. S. C. § 673;  
Supp. IV, § 673.

Effective date.

*Proviso.*  
Issue of licenses  
prior thereto.

Appropriations authorized.

# [CHAPTER 318]

## AN ACT

Creating the City of Dubuque Bridge Commission and authorizing said Commission and its successors to purchase and/or construct, maintain, and operate a bridge or bridges across the Mississippi River at or near Dubuque, Iowa, and East Dubuque, Illinois.

July 18, 1939  
[S. 955]  
[Public, No. 189]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the City of Dubuque Bridge Commission (hereinafter created, and hereinafter referred to as the “Commission”), and its successors and assigns be, and are hereby, authorized to construct, maintain, and operate a bridge or bridges and approaches thereto, across the Mississippi River at or near the cities of Dubuque, Iowa, and East Dubuque, Illinois, at a point suitable to the interest of navigation, subject to the conditions and limitations contained in this Act. For like purposes said Commission, or its successors and assigns, are hereby authorized to purchase, reconstruct, maintain, and operate all or any existing bridges for vehicular traffic crossing the Mississippi River at or near the city of Dubuque, Iowa, and may acquire control of any or all such existing bridges by purchase of stock in any corporation owning any such bridges, or by a conveyance from such corporation and in any case, said Commission shall be authorized to maintain and operate said bridge or bridges subject to the conditions and limitations contained in this Act.

Mississippi River.  
Bridge authorized  
across, Dubuque,  
Iowa, to East Du-  
buque, Ill.

Existing bridges for  
vehicular traffic, pur-  
chase, maintenance,  
etc.

SEC. 2. There is hereby conferred upon the Commission and its successors and assigns the right and power to enter upon such lands and to acquire, condemn, occupy, possess, and use such privately owned real estate and other property in the State of Iowa and the State of Illinois as may be needed for the location, construction, operation, and maintenance of any such bridge and its approaches, upon making just compensation therefor, to be ascertained and paid according to the laws of the State in which such real estate or other property is situated, and the proceedings therefor shall be the same as in the condemnation of private property for public purpose in said State, respectively. The Commission, its successors, and assigns, is further authorized to enter into agreements with the States of Illinois and Iowa, and any political subdivision thereof, for the acquisition, lease, or use of any lands or property owned by such State or political subdivision.

Acquisition of real  
estate, etc.

Agreements author-  
ized.

SEC. 3. The Commission and its successors and assigns are hereby authorized to fix and charge tolls for transit over such bridge or

Tolls authorized.

34 Stat. 84.  
33 U. S. C. §§ 491-498.

Bond issue to provide for payment of cost.

Interest, maturity, etc.

Repurchase and redemption.

Issue of refunding bonds.

*Proviso.*  
Maturity of refunding bonds.

Trust agreement.

Protection of rights, etc., of trustee and bondholders.

Bond sale.

Items included in cost.

bridges in accordance with the provisions of this Act, subject to the approval of the Secretary of War as provided by the Act of Congress approved March 23, 1906.

SEC. 4. The Commission and its successors and assigns are hereby authorized to provide for the payment of the cost of such bridge or bridges as may be purchased, reconstructed, or constructed, as provided herein, and approaches (including the approach highways which, in the judgment of the Commission, it is necessary or advisable to construct or cause to be constructed to provide suitable and adequate connection with existing improved highways) and the necessary land easements, and appurtenances thereto, by an issue or issues of negotiable bonds of the Commission, bearing interest at the rate or rates of not more than 6 per centum per annum, the principal and interest of which bonds, and any premium to be paid for retirement thereof before maturity, shall be payable solely from the sinking fund provided in accordance with this Act, and such payments may be further secured by mortgage of the bridge or bridges. All such bonds may be registerable as to principal alone or both principal and interest, shall be in such form not inconsistent with this Act, shall mature at such time or times not exceeding twenty years from the date of approval of this Act, shall be in such denominations, shall be executed in such manner, and shall be payable in such medium and at such place or places as the Commission may determine. The Commission may repurchase and may reserve the right to redeem all or any of said bonds before maturity in such manner and at such price or prices, not exceeding 105 and accrued interest, as may be fixed by the Commission prior to the issuance of the bonds. The Commission, when it deems it to be to the best interest of the Commission, may issue refunding bonds to repurchase and redeem any outstanding bonds, before the maturity thereof: *Provided*, That the refunding bonds shall mature at such time or times, not exceeding thirty years from the approval of this Act, as the Commission may determine. The Commission may enter into an agreement with any bank or trust company in the United States as trustee having the power to make such agreement, setting forth the duties of the Commission in respect to the purchase, construction, maintenance, operation, repair, and insurance of the bridge or bridges, the conservation and application of all funds, the security for the payment of the bonds, the safeguarding of money on hand or on deposit, and the rights and remedies of said trustee and the holders of the bonds, restricting the individual right of action of the bondholders as is customary in trust agreements respecting bonds of corporations. Such trust agreement may contain such provisions for protecting and enforcing the rights and remedies of the trustee and the bondholders as may be reasonable and proper and not inconsistent with the law.

Said bonds shall be sold in such manner and at such time or times and at such price as the Commission may determine, but no such sale shall be made at a price so low as to require the payment of more than 5 per centum interest on the money received therefor, computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values, and the face amount thereof shall be so calculated as to produce, at the price of their sale, the cost of the bridge or bridges, acquired and/or constructed, and approaches and the land, easements, and appurtenances used in connection therewith when added to any other funds made available to the Commission for the use of said purposes. The cost of the bridge or bridges acquired hereunder and the cost of the bridge to be constructed as provided herein, together with approaches and approach highways, shall be deemed to include interest during construction of

the said bridge, and for twelve months thereafter, and all engineering, legal, architectural, traffic-surveying, and other expenses incident to the construction of the bridge and the acquisition of the necessary property, incident to the financing thereof, including the cost of acquiring existing franchises, riparian rights, plans, and works of and relating to the bridge or bridges now owned by any person, firm, or corporation, and the cost of purchasing all or any part of the shares of stock of any such corporate owner, or by conveyance from such corporation, if, in the judgment of the Commission, such purchases should be found expedient. If the proceeds of the bonds issued shall exceed the cost as finally determined, the excess shall be placed in the sinking fund hereinafter provided. Prior to the preparation of definite bonds the Commission may, under like restrictions, issue temporary bonds or interim certificates, with or without coupons, of any denominations whatsoever, exchangeable for definite bonds when such bonds that have been executed are available for delivery.

SEC. 5. In fixing the rates of toll to be charged for the use of such bridge or bridges, in accordance with the Act of Congress approved March 23, 1906, the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge or bridges and approaches under economical management, and to provide a sinking fund sufficient to pay the principal and interest of such bonds as the same shall fall due and the redemption or repurchase price of all or any thereof redeemed or repurchased before maturity as herein provided. All tolls and other revenues from said bridge or bridges are hereby pledged to such uses and to the application thereof as hereinafter in this section required. After payment or provision for payment therefrom of all such cost of maintaining, repairing, and operating and the reservation of an amount of money estimated to be sufficient for the same purpose during an ensuing period of not more than six months, the remainder of tolls collected shall be placed in the sinking fund, at intervals to be determined by the Commission prior to the issuance of the bonds. An accurate record of the cost of the bridge or bridges and approaches; the expenditures for maintaining, repairing, and operating the same; and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested. The Commission shall classify in a reasonable way all traffic over the bridge or bridges so that the tolls shall be so fixed and adjusted by it as to be uniform in the application thereof to all traffic falling within reasonable classes, regardless of the status or character of any person, firm, or corporation participating in such traffic, and shall prevent all use of such bridge or bridges for traffic except upon payment of tolls so fixed and adjusted. No toll shall be charged officials or employees of the Commission, nor shall toll be charged officials of the Government of the United States while in the discharge of duties incident to their office or employment, nor shall toll be charged members of the fire department or peace officers when engaged in the performance of their official duties.

Within a reasonable time after the construction of any bridge or bridges, or the purchase of any bridge or bridges, the Commission shall file with the Public Roads Administration of the Federal Works Agency, a sworn itemized statement showing the cost of constructing or purchasing the bridge or bridges and their approaches, the cost of acquiring any interest in real or other property necessary therefor, and the amount of bonds, debentures, or other evidence of indebtedness issued in connection with the construction or purchase of said bridge or bridges.

Disposition of excess, if proceeds of bonds issued exceed cost.  
Issue of temporary bonds.

Application of tolls to maintenance, sinking fund, etc.  
34 Stat. 85.  
33 U. S. C. § 494.

Residue to be placed in sinking fund.

Record of expenditures and receipts.

Classification of traffic.

Toll exemptions.

Sworn itemized statement of costs, etc., to be filed.

Commission not required to operate bridges purchased, after bonds retired, etc.

Sale, or other disposition.

Toll rates.

Record of expenditures and receipts.

Conveyance of interests after payment of bonds, etc.

Conveyances to other interest if any designated State fails to accept.

SEC. 6. Nothing herein contained shall require the Commission or its successors to maintain or operate any bridge or bridges purchased hereunder, if and when all bonds issued for account of such bridge or bridges shall have been retired or provision for the payment of interest on and retirement of such bonds from the revenues from any other bridge or bridges shall have been made at the time of issuance of such bonds. Any bridge or bridges so purchased, with appurtenances and property thereto connected and belonging, may be sold or otherwise disposed of or may be abandoned or dismantled whenever in the judgment of the Commission or its successors, and subject to the approval of the Commissioner of Public Roads, Federal Works Agency, and the United States Secretary of War, it may be declared expedient so to do, and provisions with respect to and regulating any such sale, disposal, abandonment, or dismantlement may be included in proceedings for the issuance and sale of bonds for account of any such bridge or bridges. The Commission and its successors may fix such rates of toll for the use of such bridge or bridges as it may deem proper, subject to the same conditions as are hereinabove required as to tolls for traffic over the bridge to be constructed provided tolls shall be fixed and revised from time to time for traffic over all bridges so as not to adversely reflect upon the earnings of any bridge or bridges for account of which bonds may be outstanding. An accurate record of the cost of purchasing or constructing each such bridge; the expenditures for maintaining, repairing, and operating the same; and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 7. (a) After payment of the bonds and interest, or after a sinking fund sufficient for such payment shall have been provided and shall be held for that purpose, the Commission shall deliver deeds or other suitable instruments of conveyance of the interest of the Commission in and to the bridge or bridges extending between the State of Iowa and the State of Illinois, that part of said bridge or bridges within Iowa to the State of Iowa or any municipality or agency thereof as may be authorized by or pursuant to law to accept the same (hereafter referred to as the "Iowa interests"), and that part of said bridge or bridges within Illinois to the State of Illinois or any municipality or agency thereof as may be authorized by or pursuant to law to accept the same (hereafter referred to as the "Illinois interests"); likewise the Commission shall deliver deeds or other suitable instruments of conveyance of the interest of the Commission in and to any bridge that may cross the Mississippi River between the city of Dubuque, Iowa, and the State of Wisconsin, that part of said bridge within Iowa to the State of Iowa or any municipality or agency thereof as may be authorized by or pursuant to law to accept the same (hereafter referred to as the "Iowa interests"), and that part of said bridge within Wisconsin to the State of Wisconsin or any municipality or agency thereof as may be authorized by or pursuant to law to accept the same (hereafter referred to as the "Wisconsin interests"), under the condition that the bridge or bridges shall thereafter be free of tolls and be properly maintained, operated, and repaired by the Iowa interests, the Illinois interests, and the Wisconsin interests, as may be agreed upon; but if the Iowa, Illinois, or Wisconsin interests, as the case may be, fail to accept, or are not authorized to accept, their respective portions of said bridge or bridges, then the Commission may deliver deeds, or other suitable instruments or conveyance of said portions, to any other interest which may accept and may be authorized to accept the same, under the condition that the bridge or bridges shall

thereafter be free of toll and be properly maintained, operated, and repaired by said interests to whom said conveyances are delivered; but if either the Iowa interests, or the Illinois interests, or the Wisconsin interests, or any other interest hereinabove mentioned shall not be authorized to accept or shall not accept the same under such conditions, then the bridge or bridges shall continue to be owned, maintained, operated, and repaired by the Commission as a free bridge, until such time as the Iowa interests, the Illinois interests, the Wisconsin interests, or any other interest hereinabove mentioned, shall be authorized to accept and shall accept such conveyance under such conditions. The rate or rates of toll for crossing any bridge now existing or hereafter constructed which abuts upon or enters into the corporate limits of the city of Dubuque, Iowa, shall not be reduced below the rate or rates now in effect on existing bridges so long as any indebtedness of said Commission for the account of any bridge or bridges shall be outstanding and unpaid.

(b) Notwithstanding any restrictions or limitation imposed by the Act entitled "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes", approved July 11, 1916, or by the Federal Highway Act, or by an Act amendatory of or supplemental to either thereof, the Federal Works Administrator or any other Federal department or agency of the United States Government may extend Federal aid under such Acts for the construction of said bridge or bridges out of any moneys allocated to the State of Iowa with the consent of the State highway commission of said State, and out of moneys allocated to the State of Illinois with the consent of the department of highways of said State.

SEC. 8. For the purpose of carrying into effect the objects stated in this Act, there is hereby created the City of Dubuque Bridge Commission, and by that name, style, and title said body shall have perpetual succession; may contract and be contracted with, sue and be sued, implead and be impleaded, complain and defend in all courts of law and equity; may make and have a common seal; may purchase or otherwise acquire and hold or dispose of real estate and other property; may accept and receive donations or gifts of money or property and apply same to the purposes of this Act; and shall have and possess all powers necessary, convenient, or proper for carrying into effect the objects stated in this Act.

The Commission shall consist of W. M. Clemens, Charles G. Kretschmer, Charles T. Landon, Thomas M. Stampfer, of Dubuque, Iowa, and R. E. Werner, of East Dubuque, Illinois; such Commission shall be a public body corporate and politic. Each member of the Commission shall qualify within thirty days after the approval of this Act by filing in the Office of the Federal Works Administrator an oath that he will faithfully perform the duties imposed upon him by this Act, and each person appointed to fill a vacancy shall qualify in like manner within thirty days after his appointment. Any vacancy occurring in said Commission by reason of failure to qualify as above provided, or by reason of death or resignation, shall be filled by the Federal Works Administrator. Before the issuance of bonds as hereinabove provided, each member of the Commission shall give such bond as may be fixed by the Chief of the Bureau of Public Roads of the Department of Agriculture, conditioned upon the faithful performance of all duties required by this Act, the cost of such surety prior to and during the construction of the bridge shall be paid or reimbursed from the bond proceeds and thereafter such costs shall be deemed an operating expense. The Commission shall elect a chairman and a vice chairman from its members, and may establish rules and regulations for the government of its own business. A majority of the members shall constitute a quorum for the transaction of business.

Operation by Commission if any interest fails to accept.

Toll rate, restriction.

Federal aid.

39 Stat. 355; 42 Stat. 212.  
23 U. S. C. ch. 1; Supp. IV, ch. 1.

City of Dubuque Bridge Commission, creation, corporate powers, etc.

Commission membership.

Vacancies.

Surety bonds.

Organization; rules, quorum, etc.



Capital stock, etc.,  
restriction.

Compensation, al-  
lowances, etc.

Employees.

Dissolution of Com-  
mission, provisions.

Public hearing, no-  
tice.

Division of moneys.

State, etc., aid.

Contracts.

Purpose declared.

SEC. 9. The Commission shall have no capital stock or shares of interest or participation, and all revenues and receipts thereof shall be applied to the purposes specified in this Act. The members of the Commission shall be entitled to a per diem compensation for their services of \$10 for each day actually spent in the business of the Commission, but the maximum compensation of the chairman in any year shall not exceed \$1,200, and of each other member shall not exceed \$600. The members of the Commission shall also be entitled to receive traveling-expense allowance of 10 cents a mile for each mile actually traveled on the business of the Commission. The Commission may employ a secretary, treasurer, engineers, attorneys, and other such experts, assistants, and employees as they may deem necessary, who shall be entitled to receive such compensation as the Commission may determine. All salaries and expenses shall be paid solely from the funds provided under the authority of this Act. After all bonds and interest thereon shall have been paid and all other obligations of the Commission paid or discharged, or provision for all such payment shall have been made as hereinbefore provided and after the bridge or bridges shall have been conveyed to the Iowa interests, the Illinois interests and the Wisconsin interests, as herein provided, or otherwise disposed of as provided herein, the Commission shall be dissolved and shall cease to have further existence by an order of the Commissioner of Public Roads made upon his own initiative or upon application of the Commission or any member or members thereof, but only after a public hearing in the city of Dubuque, Iowa, notice of the time and place of which hearing and the purpose thereof shall have been published once, at least thirty days before the date thereof, in a newspaper published in the city of Dubuque, Iowa. At the time of such dissolution all moneys in the hands of or to the credit of the Commission shall be divided and distribution made between the interests of the States, as may be determined by the Chief of the Bureau of Public Roads of the United States.

SEC. 10. Notwithstanding any of the provisions of this Act, the Commission shall have full power and authority to negotiate and enter into a contract or contracts with the State Highway Commission of Iowa and the Department of Highways of Illinois, the State Highway Department of Wisconsin, the city of Dubuque, Dubuque County, Iowa, or any county or municipality in the State of Illinois, whereby the Commission may receive financial aid in the construction or maintenance of a bridge or bridges and approaches thereto, and said Commission in its discretion may avail itself of all of the facilities of the State Highway Commission of the State of Iowa and the Department of Highways of the State of Illinois with regard to the construction of said proposed bridge or bridges, and the Commission may make and enter into any contract or contracts which it deems expedient and proper with the State Highway Commission of Iowa and the Department of Highways of Illinois, whereby said highway departments or either of them may construct, operate, and maintain or participate with the Commission in the construction, operation, maintenance of said bridge or bridges to be constructed hereunder, and approaches. It is hereby declared to be the purpose of Congress to facilitate the construction of a bridge and proper approaches across the Mississippi River at or near Dubuque, Iowa, and East Dubuque, Illinois, and to authorize the Commission to promote said object and purposes, with full power to contract with either the State Highway Commission of Iowa or the department of Highways of Illinois or with any agency or department of the Federal Government, or both, in relation to the purchase or condemnation,

construction, operation, and maintenance of said bridges and approaches.

SEC. 11. Nothing herein contained shall be construed to authorize or permit the Commission or any member thereof to create any obligation or incur any liability other than such obligations and liabilities as are dischargeable solely from funds contemplated to be provided by this Act. No obligation created or liability incurred pursuant to this Act shall be a personal obligation or liability of any member or members of the Commission but shall be chargeable solely to the funds herein provided, nor shall any indebtedness created pursuant to this Act be an indebtedness of the United States.

Creation of other obligations, etc.

SEC. 12. The design and construction of any bridge which may be built pursuant to this Act shall be in accordance with the standard specifications for highway bridges adopted by the American Association of State Highway Officials.

Design and construction.

SEC. 13. In the event that the State of Iowa, or some political subdivision or agency thereof, shall appoint or constitute, pursuant to statute duly enacted, the Commission hereby created as a bridge commission or board for the city of Dubuque, with authority to construct, purchase, or acquire bridges across the Mississippi River, abutting upon or entering the corporate limits of the city of Dubuque, then such bridge commission or board shall have authority to construct, purchase, or acquire the bridge or bridges referred to in this Act in the manner herein set forth, or in the manner prescribed by State law, and if said commission or board shall elect to proceed in the manner prescribed by State law, it shall ipso facto succeed to all right of the City of Dubuque Bridge Commission under this Act, and all right, title, and interest of the City of Dubuque Bridge Commission under this Act to any bridge and bridges referred to in this Act, subject to any outstanding obligations of said Commission as hereby created, which obligations shall thereby be assumed by, and become the obligations of, the new bridge commission or board.

Successor in interest, authority.

SEC. 14. Any bridge or bridges constructed, acquired, or reconstructed under authority of this Act shall be constructed, maintained, and operated in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, notwithstanding any provisions contained herein to the contrary.

Obligations assumed.

Construction, etc., provisions.

34 Stat. 84.  
33 U. S. C. §§ 491-498.

SEC. 15. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, July 18, 1939.

#### [CHAPTER 319]

#### AN ACT

To extend the times for commencing and completing the construction of a bridge across the Missouri River, at or near Poplar, Montana.

July 18, 1939

[S. 1907]

[Public, No. 190]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of a bridge across the Missouri River, at or near Poplar, Montana, authorized to be built by the State of Montana, the counties of Roosevelt, Richland, and McCone thereof, or any of them, by an Act of Congress approved July 28, 1937, are hereby extended one and three years, respectively, from the date of approval hereof.

Missouri River.  
Time extended for bridging, at Poplar, Mont.

50 Stat. 512.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, July 18, 1939.

## [CHAPTER 320]

## AN ACT

Authorizing the city of Chester, Illinois, to construct, maintain, and operate a toll bridge across the Mississippi River at or near Chester, Illinois.

July 18, 1939  
[H. R. 4370]  
[Public, No. 191]

Mississippi River.  
Bridge authorized  
across, at Chester, Ill.

34 Stat. 84.  
33 U.S.C. §§ 491-498.

Acquisition of real  
estate, etc.

Toll charges.

Application of tolls  
to maintenance, sink-  
ing fund, etc.

Maintenance as free  
bridge after amortiz-  
ing costs, etc.

Record of expendi-  
tures and receipts.

Amendment.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to promote interstate commerce, improve the Postal Service, and provide for military and other purposes, the city of Chester, Illinois, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River, at a point suitable to the interests of navigation, at or near Chester, Illinois, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

SEC. 2. There is hereby conferred upon the city of Chester, Illinois, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches, as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The said city of Chester, Illinois, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including interest at a rate of not to exceed 5 per centum per annum and reasonable financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed thirty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 5. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, July 18, 1939.

## [CHAPTER 321]

## AN ACT

Authorizing the county of Gallatin, State of Illinois, its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River at or near the city of Shawneetown, Gallatin County, Illinois, to a point opposite thereto in the county of Union, State of Kentucky.

July 18, 1939  
[H. R. 4499]  
[Public, No. 192]

Ohio River.  
Bridge authorized  
across, at Shawnee-  
town, Ill.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to promote interstate commerce, improve the Postal Service, and provide for military and other purposes, the county of Gallatin, in the

State of Illinois, its successors and assigns, be and is hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the Ohio River at a point suitable to the interests of navigation at or near the city of Shawneetown, Gallatin County, Illinois, to a point opposite thereto in Union County, Kentucky, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

34 Stat. 84.  
33 U. S. C. §§ 491-498.

For like purposes said county of Gallatin, its successors and assigns, are hereby authorized to acquire by purchase any and all ferries operating across the said Ohio River within ten miles on either side of the said bridge and to maintain and operate the same, or abandon the operation thereof, at the discretion of the said county of Gallatin, its successors and assigns, subject to the limitations contained in this Act.

Purchase, maintenance, etc., of ferries.

SEC. 2. There is hereby conferred upon the county of Gallatin, in the State of Illinois, its successors and assigns, all such rights and powers to enter upon land and to acquire, condemn, occupy, possess, and use real estate and other property in the State of Illinois, including real estate and other property acquired for or devoted to public use or other purposes by the State of Illinois, or any other governmental or political subdivisions thereof, as may be needed for the location, construction, maintenance, and operation of such bridge and its approaches upon making just compensation therefor to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation of private property for public purpose in said States, respectively.

Acquisition of real estate, etc.

SEC. 3. The said county of Gallatin, in the State of Illinois, its successors and assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Toll charges.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including interest at a rate of not to exceed 5 per centum and reasonable financing cost, and the cost of the acquisition of any ferries as hereinabove provided, as soon as possible, under reasonable charges, but within a period of not to exceed twenty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Application of tolls to maintenance, sinking fund, etc.

Maintenance as free bridge after amortizing costs, etc.  
Record of expenditures and receipts.

SEC. 5. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, July 18, 1939.

## [CHAPTER 322]

## AN ACT

July 18, 1939  
[H. R. 5288]  
[Public, No. 193]

To amend section 691-a of the Code of Law of the District of Columbia, approved March 3, 1901, and of any Act or Acts amendatory thereof relating to foreign building and loan associations doing business in the District of Columbia.

District of Columbia Code amendments, 31 Stat. 1189; 35 Stat. 1059.  
5 D. C. Code, § 45.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 691-a of the code entitled "An Act to establish a Code of Law for the District of Columbia", approved March 3, 1901, and of any Act or Acts amendatory thereof (D. C. Code, title 5, sec. 45), is amended to read as follows:

Foreign building, etc., associations doing business within the District.  
Certificate of authority required.

"SEC. 691-a. No foreign association shall make loans of any kind or transact any building and loan business within the District of Columbia or maintain an office in the District of Columbia for the purpose of transacting such business until it procures from the Comptroller of the Currency a certificate of authority to do such business in said District, after complying with the following provisions:

Deposit as security for claims.

"(a) It shall deposit with the Treasurer of the United States \$50,000 in cash or bonds of the United States or bonds which the United States guarantees the payment of both principal and interest. A foreign association may collect and use the interest on securities deposited with the Treasurer of the United States, as hereinabove provided, so long as it fulfills its obligations and complies with the laws of the District of Columbia. It may also exchange them for other securities of the United States or for cash. The deposit made by a foreign association with the Treasury of the United States shall be held as security for all claims of residents of the District of Columbia against such association, and be liable for all judgments or decrees thereon, and subjected to the payment thereof in the same manner as the property of other nonresidents. Should an association cease to do business in said District, the Treasurer of the United States, upon a certificate from the Comptroller of the Currency, may release securities in his discretion, retaining sufficient to satisfy all outstanding liabilities;

Collection and use of interest on securities deposited.

Exchange for other securities.

Release upon cessation of business; outstanding liabilities.

Corporate documents to be filed with Comptroller.

"(b) It shall file with the Comptroller of the Currency a certified copy of its charter, constitution, and bylaws, and other rules and regulations showing its manner of conducting business, together with a statement such as is required semiannually from all associations;

Power of attorney, etc.

"(c) It shall file with the Comptroller of the Currency a power of attorney appointing a citizen of the District of Columbia, resident within said District, the agent or attorney for such foreign association upon whom process of law can be served. There must also be filed a certified copy of the vote or resolution of the directors appointing such agent or attorney, which appointment shall continue until another agent or attorney is substituted, and said writing or power of attorney shall stipulate and agree on the part of such foreign association making the same that any lawful process against said association, which is served on such agent or attorney, shall be of the same legal force and validity as if served on such association within the District of Columbia; and, also, that in the case of the death or absence of the agent or attorney so appointed, service or process may be made upon the Comptroller of the Currency, and such power of attorney cannot be revoked or modified (except that a new one may be substituted) so long as any liability remains outstanding against such foreign association in the District of Columbia. The term 'process', used above, shall be held and deemed to include any writ, summons, or order whereby any action, suit, or proceeding

Service of process.

Service upon Comptroller if agent dead, absent, etc.

Term defined.

shall be commenced, or which shall be issued in or upon any action, suit, or proceeding by any court, officer, or magistrate.

“(d) It shall pay to the collector of taxes the following fees:

“For filing an application for admission to do business in the District of Columbia, \$500;

“For each certificate of authority and annual renewal thereof, \$200.

“(e) When a foreign association has complied with the provisions of paragraph (c) of said section 691-a, and the Comptroller of the Currency is satisfied that it is doing or will do its building and loan business in the District of Columbia in accordance with the laws of the District of Columbia, he may issue his certificate of authority to such foreign association to do a building and loan business in the District of Columbia. Annually thereafter, if the Comptroller of the Currency is satisfied as herein provided, he shall issue a renewal of such certificate.

“(f) Should the Comptroller of the Currency find that such foreign association does not conduct its building and loan business in accordance with law, or that the affairs of such association are in unsafe condition, or if such foreign association refuses to permit examination to be made, the Comptroller of the Currency may revoke the certificate of authority granted, after ninety days' notice, to such foreign association to do a building and loan business in the District of Columbia: *Provided*, That upon revocation of such certificate of authority the Comptroller of the Currency shall mail a notice thereof to the home office of such foreign association and cause a similar notice to be published in at least one daily newspaper of general circulation in the District of Columbia. After so notifying said home office and after the publication of said notice, it shall be unlawful for any agent of such foreign association to receive any further payments from shareholders residing in the District of Columbia.

“(g) Every foreign association doing a building and loan business in the District of Columbia shall be subject to the same examination as are domestic associations and such examination may include examination of all subsidiaries of such foreign associations and all business operations wherever apparent: *Provided*, That the Comptroller of the Currency may accept reports of examination by other supervisory agents in lieu of making such examinations and provided that all the actual and necessary expense of such examinations of such foreign associations shall be paid by the association examined if said examination is made beyond the limits of the District of Columbia, but if made within the limits of the District of Columbia, the cost of the examination to be at the same rate and upon the same terms as provided in section 691.

“(h) Whenever any taxes, fines, penalties, fees, licenses, or conditions precedent are imposed by the laws of any State upon building and loan associations organized or incorporated under the laws of the District of Columbia, and doing business in the said State, in excess of the taxes, fines, penalties, fees, licenses, or conditions precedent imposed by the laws of the District of Columbia upon foreign associations doing a building and loan business in the District of Columbia, the same taxes, fines, penalties, fees, licenses, or conditions precedent shall be imposed upon every association incorporated under the laws of such State doing, or applying to do, a building and loan business in the District of Columbia, so long as such excess taxes, fines, penalties, fees, licenses, or conditions precedent are imposed by such State; and upon the failure of any association incorporated under the laws of such State to comply therewith the Comptroller of the Currency shall revoke the certificate of authority of such association to do a building and loan business

Fees.

Filing application.

Certificate of authority; renewals. Issuance of certificate of authority upon compliance with law.

Annual renewals.

Revocation provisions.

*Proviso.* Notice to home office; publication in local daily newspaper.

Transactions thereafter unlawful.

Examinations.

*Proviso.* Acceptance of reports by other supervisory agents.

Examination expenses.

Countervailing taxes, etc.

in the District of Columbia or shall refuse to grant such certificate of authority in the first instance.

Penalty provision.

“(i) A foreign association which does a building and loan business in the District of Columbia without first complying with the provisions of this chapter, or which willfully violates or fails to comply with the provisions of laws relating to foreign associations, shall forfeit and pay not less than \$25 or more than \$500, to be recovered by an action in the name of the United States and on collection paid into the Treasury of the United States.”

Inconsistent laws repealed; effective date.

SEC. 2. All other Acts or parts of Acts inconsistent herewith are hereby repealed. This Act shall take effect on the date of its enactment.

Approved, July 18, 1939.

#### [CHAPTER 323]

#### AN ACT

Granting annual and sick leave with pay to substitutes in the Postal Service.

July 18, 1939  
[H. R. 5479]  
[Public, No. 194]

Postal Service.  
Annual and sick  
leave with pay to sub-  
stitutes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That hereafter substitutes in the Postal Service shall be rated as employees and each substitute postal employee in the classified civil service shall be granted the same rights and benefits with respect to annual and sick leave that accrue to regular employees in proportion to the time actually employed. Sick leave shall be computed on the basis of illness or disability incurred during the period of actual employment in the Postal Service.

Basis of computing  
sick leave.

Illness, etc., in-  
curred while not on  
active duty, etc.

SEC. 2. No substitute shall be entitled to sick leave for an illness or disability incurred while such substitute is not on active duty or on annual leave.

Maximum allow-  
ance.

SEC. 3. In no event shall a substitute employee be granted more than fifteen days' annual and ten days' sick leave allowed by existing law to regular employees.

Service eligibility.

SEC. 4. No substitute shall be entitled to the benefits of this Act until he has served two thousand four hundred and forty-eight hours.

Regulations to be  
prescribed.

SEC. 5. The Postmaster General is authorized and directed to prescribe such rules and regulations as may be necessary or appropriate to carry out the provisions of this Act.

Approved, July 18, 1939.

#### [CHAPTER 324]

#### JOINT RESOLUTION

To provide for the establishment and maintenance of the Franklin D. Roosevelt Library, and for other purposes.

July 18, 1939  
[S. J. Res. 118]  
[Pub. Res., No. 30]

Franklin D. Roose-  
velt Library.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### TITLE I—DEFINITIONS

SECTION 1. As used in this joint resolution—

Terms defined.  
“Donor.”  
“Historical mate-  
rial.”

(a) The term “donor” means Franklin D. Roosevelt.  
(b) The term “historical material” includes books, correspondence, papers, pamphlets, works of art, models, pictures, photographs, plats, maps, and other similar material.

“Board.”

(c) The term “Board” means the Trustees of the Franklin D. Roosevelt Library.

## TITLE II—FRANKLIN D. ROOSEVELT LIBRARY

SEC. 201. The Archivist of the United States is authorized to accept for and in the name of the United States from the donor, or from such person or persons as shall be empowered to act for the donor, title to a tract of land consisting of an area of twelve acres, more or less, of the Hyde Park estate of the donor and his family, located on the New York-Albany Post Road, in the town of Hyde Park, Dutchess County, State of New York; such area to be selected and carved out of the said estate by the donor and to be utilized as a site for the Franklin D. Roosevelt Library provided for in this title.

Archivist authorized to accept site for library from donor.

SEC. 202. The Archivist is authorized to permit the Franklin D. Roosevelt Library, Incorporated, a New York corporation organized for that purpose, to construct on the area referred to in section 201 of this title a building, or buildings, to be designated as the Franklin D. Roosevelt Library, and to landscape the grounds within the said area. Such project shall be carried out in accordance with plans and specifications approved by the Archivist. The Federal Works Administration is authorized to permit the facilities and personnel of the Public Building Administration to be utilized in the preparation of plans for and in the construction and equipping of the project: *Provided*, That the Franklin D. Roosevelt Library, Incorporated, shall enter into an arrangement satisfactory to the Secretary of the Treasury to reimburse the said Public Building Administration for the costs and expenses incurred for such purposes, as determined by the Federal Works Administration.

Franklin D. Roosevelt Library, Inc., construction of buildings, landscaping, etc., authorized.

Assistance by Public Building Administration.

*Proviso.*  
Reimbursement.

SEC. 203. Upon the completion of the project authorized in section 202 of this title, the Archivist shall accept for the Franklin D. Roosevelt Library, as a gift from the donor, such collection of historical material as shall be donated by the donor. The Archivist may also acquire for the said Library from other sources, by gift, purchase, or loan, historical books related to and other historical material contemporary with and related to the historical material acquired from the donor. The historical material acquired under this section shall be permanently housed in the Franklin D. Roosevelt Library: *Provided*, That the Archivist may temporarily remove any of such material from the said Library when he deems it to be necessary: *And provided further*, That the Archivist may dispose of any duplicate printed material in the said Library by sale or exchange, and, with the approval of the National Archives Council, may dispose of by sale, exchange, or otherwise any material in the said Library which appears to have no permanent value or historical interest. The proceeds of any sale made under this section shall be paid into the special account provided for in subsection (d) of section 205 of this title, to be held, administered, and expended in accordance with the provisions of that subsection.

Acceptance of project, upon completion, as a gift from donor.

Acquisition of similar related material from other sources.

*Provisos.*  
Temporary removal of material.

Disposal of duplicate, etc., printed material.

Proceeds from sales to be paid into special account.

SEC. 204. The faith of the United States is pledged that, upon the construction of the Franklin D. Roosevelt Library and the acquisition from the donor of the collection of historical material in accordance with the terms of this title, the United States will provide such funds as may be necessary for the upkeep of the said Library and the administrative expenses and costs of operation thereof, including the preservation and care of historical material acquired under this title, so that the said Library shall be at all times properly maintained.

Funds pledged for upkeep, etc.

SEC. 205. (a) A Board to be known as the Trustees of the Franklin D. Roosevelt Library is hereby established. The Archivist and the Secretary of the Treasury shall be ex officio members, and the Archivist shall be chairman of the Board. There shall also be five members of the Board appointed by the President for life, but the President may remove any such member for cause. Vacancies on the

Board established; membership; tenure, vacancies; not deemed U. S. officers.



Compensation restriction; expense allowance.

Acceptance and administration of gifts as trust funds; investment.

Proviso. Restriction.

Deposit and disbursement of income from trust funds.

Use of, in publication of guides, textual reproduction of Library material, etc.

Sales of publications; use of receipts.

Use of principal of any gift or bequest for designated purposes.

Powers of Board as trustee.

Custody and control of buildings and grounds.

Board shall be filled by the President. Membership on the Board shall not be deemed to be an office within the meaning of the Constitution and statutes of the United States.

(b) No compensation shall be paid to the members of the Board for their services as such members, but they shall be allowed their necessary expenses incurred in the discharge of their duties under this title. The certificate of the chairman of the Board shall be sufficient evidence that the expenses are properly allowable.

(c) The Board is hereby authorized to accept and receive gifts and bequests of personal property and to hold and administer the same as trust funds for the benefit of the Franklin D. Roosevelt Library. The moneys or securities composing trust funds given or bequeathed to the Board shall be receipted for by the Secretary of the Treasury who shall invest, reinvest, and retain investments as the Board may from time to time determine: *Provided, however,* That the Board is not authorized to engage in any business nor to exercise any voting privilege which may be incidental to securities in such trust funds, nor shall the Secretary of the Treasury make any investments for the account of the Board which could not lawfully be made by a trust company in the District of Columbia, except that he may make any investment directly authorized by the instrument of gift under which the funds to be invested are derived, and may retain any investments accepted by the Board.

(d) The income from any trust funds held by the Board, as and when collected, shall be deposited with the Treasurer of the United States who shall enter it in a special account to the credit of the Franklin D. Roosevelt Library and subject to disbursement by the Archivist, except where otherwise restricted by the instrument of gift, in the purchase of equipment for the Franklin D. Roosevelt Library; in the preparation and publication of guides, inventories, calendars, and textual reproduction of material in the said Library; and in the purchase, under section 203 of this title, of historical material for the said Library. The Archivist may make sales of any publications authorized by this section at a price which will cover their cost and 10 per centum added, and all moneys received from such sales shall be paid into, administered, and expended as a part of the special account herein provided for.

(e) Unless otherwise restricted by the instrument of gift, the Board, by resolution duly adopted, may authorize the Archivist to use the principal of any gift or bequest made to it for any of the purposes mentioned in subsection (d) hereof.

(f) The Board shall have all the usual powers of a trustee in respect to all funds administered by it, but the members of the Board shall not be personally liable, except for misfeasance. In the administration of such trust funds the actions of the Board, including any payments made or authorized to be made by it from such funds, shall not be subject to review or attack except in an action brought in the United States District Court for the District of Columbia, which is hereby given jurisdiction of such suits, for the purpose of enforcing the provision of any trust accepted by the Board.

SEC. 206. The Commissioner of Public Buildings shall be responsible for the care, maintenance, and protection of the buildings and grounds of the Franklin D. Roosevelt Library in the same manner and to the same extent as he is responsible for the National Archives Building in the District of Columbia. Except as provided in the preceding sentence, the immediate custody and control of the Franklin D. Roosevelt Library, and such other buildings, grounds, and equipment as may from time to time become a part thereof, and their contents shall be vested in the Archivist of the United States, and

he is authorized to appoint and prescribe the duties of such officers and employees, including clerical assistance for the Board, as may be necessary for the execution of the functions vested in him by this title.

SEC. 207. The Archivist shall prescribe regulations governing the arrangement, custody, protection, and use of the historical material acquired under this title; and, subject to such regulations, such material shall be available to the public free of charge: *Provided*, That the Archivist is authorized to charge and collect, under regulations prescribed by him, a fee not in excess of 25 cents per person for the privilege of visiting and viewing the exhibit rooms or museum portion of the said Library; and any funds so derived shall be paid by the Archivist into the special account provided for in subsection (d) of section 205 of this title, to be held, administered, and expended under the provisions of that subsection.

Archivist to prescribe suitable regulations.

*Proviso.*  
Admittance fee.

SEC. 208. The Archivist shall make to the Congress, at the beginning of each regular session, a report for the preceding fiscal year as to the Franklin D. Roosevelt Library. Such report shall include a detailed statement of all accessions, all dispositions of historical material, and all receipts and expenditures on account of the said Library.

Report to Congress.

SEC. 209. The costs incurred by the Archivist in carrying out the duties placed upon him by this title, including the expenses of the members of the Board and the costs of the Board's necessary clerical assistance, shall be paid out of the appropriations for The National Archives Establishment as other costs and expenses of The National Archives Establishment are paid; and such sums as may be necessary for such purposes are hereby authorized to be appropriated.

Appropriation authorized, payable from appropriations for National Archives Establishment.

### TITLE III—FRANKLIN D. ROOSEVELT RESIDENCE

SEC. 301. The head of any executive department, pursuant to agreement between him and the donor, may accept for and in the name of the United States from the donor, or from such person or persons as shall be empowered to act for the donor, title to any part or parts of the said Hyde Park estate of the donor and his family which shall be donated to the United States for use in connection with any designated function of the Government administered in such department. The title to any such property may be accepted under this section notwithstanding that it may be subject to the life estate of the donor or of any other person or persons now living: *Provided*, That during the continuance of any life estate reserved therein no expense to the United States in connection with the ordinary maintenance of the property so acquired shall be incurred: *Provided further*, That the acceptance hereunder by the United States of the title to property in which any life estate is reserved shall not during the existence of such life estate exempt the property, except to the extent provided in section 304 of this title, from taxation by the town of Hyde Park, Dutchess County, or the State of New York as other real property in the said town, county, or State is taxed under the applicable laws relating to taxation of real property.

Acceptance of parts of Hyde Park estate of donor for use designated, subject to life estate, etc.

*Provisos.*  
No Federal expense during continuance of life estate reserved therein.

Local and State taxes.

SEC. 302. Upon the expiration of all life estates reserved in any property acquired under this title for use in connection with a designated function of the Government, or, if no life estate is reserved, immediately upon the acceptance of title thereto, the head of the department administering the said function shall assume jurisdiction and control over the property so acquired and administer it for the purpose designated, subject to the applicable provisions of law.

Jurisdiction and control upon expiration of all life estates reserved.

Rights reserved by Congress.

SEC. 303. The right is reserved in the Congress to take such action and to make such changes, modifications, alterations, and improvements in connection with and upon any property acquired under this title, during or after the expiration of any life estate reserved therein, as the Congress shall deem proper and necessary to protect and preserve the same; but neither the improvements so made nor any increase in the value of the property by reason thereof shall be subject to taxation during the existence of any life estate reserved in the property.

Approved, July 18, 1939.

[CHAPTER 328]

AN ACT

July 19, 1939  
[S. 1109]  
[Public, No. 195]

To amend the Act entitled "An Act to aid the several States in making, or for having made, certain toll bridges on the system of Federal-aid highways free bridges, and for other purposes", by providing that funds available under such Act may be used to match regular and secondary Federal-aid road funds, and for other purposes.

Toll bridges on Federal-aid highways.  
50 Stat. 640.  
23 U. S. C., Supp. IV, § 9a (note).

Limited aid to, becoming free of tolls prior to July 1, 1941.

Funds available.

Amount.

Provisos.  
Payments forbidden, if not according to Government standards, etc.

Maximum allowance.

Use of, by State.

52 Stat. 636.  
23 U. S. C., Supp. IV, ch. 2 (note).  
Surveys, etc., for future construction.

42 Stat. 212.  
23 U. S. C. ch. 1; Supp. IV, ch. 1.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act entitled "An Act to aid the several States in making, or for having made, certain toll bridges on the system of Federal-aid highways free bridges, and for other purposes", approved August 14, 1937, is hereby amended to read as follows:

"That in the case of each and every State, or political subdivision or subdivisions thereof, which, prior to July 1, 1941, shall have constructed or acquired any toll bridges on the approved system of Federal-aid highways, and which has caused or shall, prior to July 1, 1941, cause any such toll bridge or toll bridges to be made free, the Federal Works Administrator shall be, and he is hereby, authorized to pay out of the regular and secondary Federal-aid road funds apportioned to such State not to exceed 50 per centum of such amount as may be approved by the Federal Works Administrator as the reasonable value or construction cost of any such bridge which ever shall be least: *Provided*, That no payment of Federal funds shall be made on account of any such bridge which was not constructed in accordance with plans and specifications which would meet the standards required by the Secretary of Agriculture at the time such bridge was constructed, nor on account of any bridge the construction of which was completed prior to March 3, 1927: *And provided further*, That no such payment shall be made which will exceed 50 per centum of the reasonable value or cost of the labor and materials which were actually incorporated in the construction of such bridge, excluding all costs of rights-of-way, property damages, and financing costs, whichever, value or cost, shall be least, and any amount so paid on account of any such bridge from regular Federal-aid road funds shall be used for matching unobligated regular Federal-aid road funds available to the State for expenditure in the improvement of highways on the system of Federal-aid highways, and any amount so paid on account of any such bridge from secondary Federal-aid road funds shall be used for matching unobligated secondary Federal-aid road funds available to the State for expenditure in the improvement of secondary or feeder roads."

SEC. 2. That section 10 of the Federal Aid Highway Act of 1938 is hereby amended to read as follows:

"SEC. 10. With the approval of the Federal Works Administrator not to exceed 1½ per centum of the amount apportioned for any year to any State under the Federal Highway Act, as amended and supplemented, except sections 3 and 23 thereof, shall hereafter be used with or without State funds for surveys, plans, engineering, and economic investigations of projects for future construction in

such State, either on the Federal-aid highway system and extensions thereof or on secondary or feeder roads or grade-crossing eliminations.”

Approved, July 19, 1939.

## [CHAPTER 329]

## AN ACT

To restore certain benefits to World War veterans suffering with paralysis, paresis, or blindness, or who are helpless or bedridden, and for other purposes.

July 19, 1939  
[H. R. 2296]  
[Public, No. 196]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That on and after the date of enactment of this Act any World War veteran suffering from paralysis, paresis, or blindness, or who is helpless or bedridden, as the result of any disability, and who was in receipt of compensation therefor on March 19, 1933, may be awarded compensation under the laws and interpretations governing this class of cases prior to the enactment of Public Law Numbered 2, Seventy-third Congress, March 20, 1933, subject, however, to the limitations, except as to misconduct or willful misconduct, contained in sections 27 and 28 of Public Law Numbered 141, Seventy-third Congress, March 28, 1934, as amended by section 5 of Public Law Numbered 304, Seventy-fifth Congress, August 16, 1937: *Provided*, That the language herein contained shall not be construed to reduce or discontinue compensation authorized under the provisions of section 26 of Public Law Numbered 141, Seventy-third Congress: *Provided further*, That where a World War veteran dies or has died from disease or injury, service connection of which is or would have been reestablished under the provisions of this Act, his surviving widow, child, or children, if otherwise eligible thereto, shall be awarded death compensation under Public Law Numbered 484, Seventy-third Congress, as amended.

World War veterans.  
Certain benefits to, suffering with paralysis, etc., restored.

48 Stat. 8, 524; 50 Stat. 661.  
38 U. S. C. §§ 701-721, 471a, 722; Supp. IV, § 424a, ch. 12.  
*Provisos.*  
Compensation for blindness.  
48 Stat. 524.  
38 U. S. C. § 473a.  
Death compensation to widows, etc.

48 Stat. 1281.  
38 U. S. C. §§ 503-507; Supp. IV, §§ 505a-510.  
Effective date, etc.

SEC. 2. Payments to veterans restored to the rolls under the provisions of this Act shall be effective the date of enactment of this Act and payments to widows or children shall be effective the date of enactment of this Act or the date of filing claim therefor, whichever is the later.

Approved, July 19, 1939.

## [CHAPTER 330]

## AN ACT

To amend the Act entitled “An Act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor”, approved February 23, 1931, as amended.

July 19, 1939  
[H. R. 6836]  
[Public, No. 197]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That paragraph (n) of section 26 of the Act entitled “An Act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor”, approved February 23, 1931, as amended, is amended to read as follows:

Foreign Service.  
Retirement and disability system.

46 Stat. 1213; *ante*, p. 588.  
22 U. S. C. § 21 (n).  
Officers promoted to Ambassador, Minister or to Department, benefits to.

“(n) Any diplomatic secretary or consular officer who has been, or any Foreign Service officer who may hereafter be, promoted from the classified service to the grade of Ambassador or Minister, or appointed to a position in the Department of State, shall be entitled to all the benefits of this section in the same manner and under the same conditions as Foreign Service officers: *Provided*, That any officer now included under the Act of May 24, 1924, and the amendment thereto of July 3, 1926, shall be entitled to the benefits of this section: *And provided further*, That hereafter an Ambassador or Minister, or a former Ambassador or Minister, or a person appointed to a position in the Department of State after serving as Amba-

*Provisos.*  
Officers included under certain other Acts.  
43 Stat. 140; 44 Stat. 902.  
Future appointments.

Terms and conditions.

Periods of service.  
Special contribution.

Annuity, retirement, etc.

Proviso.  
Age and service, computation.

sador, Minister, or Foreign Service officer, who is not otherwise entitled to an annuity under this section and who shall have served as such for the period mentioned in the following paragraph (1), shall nevertheless be entitled to the benefits thereof in the same manner and under the same conditions as Foreign Service officers, but subject to the following terms and conditions:

“(1) Any person who has served as Ambassador or Minister, or a person appointed to a position in the Department of State after serving as Ambassador, Minister, or Foreign Service officer, continuously or at different times for an aggregate period of twenty years or more, in which period may be included any periods of service in any of the capacities and as provided in paragraph (o) of this section, may become entitled to the benefits of this section as hereinafter provided by paying into the Foreign Service retirement and disability fund a special contribution equal to 5 per centum of his annual salary for each year of such employment subsequent to July 1, 1924, with interest thereon to date of payment compounded annually at 4 per centum.

“(2) Any Ambassador or Minister, or a person appointed to a position in the Department of State after serving as Ambassador, Minister, or Foreign Service officer, who becomes entitled to the benefits of this section as provided in the preceding paragraph (1) shall receive an annuity computed in accordance with paragraph (e) of this section, including the right to voluntary retirement as provided by paragraph (d) of this section: *Provided, however,* That in case any Ambassador or Minister, or a person appointed to a position in the Department of State after serving as Ambassador, Minister, or Foreign Service officer, is retired from active service at less than sixty-five years of age and with at least twenty but less than thirty years of service, computed in accordance with this section, and assuming that he shall have complied with the requirements of the law entitling him to such annuity, he shall receive an annuity computed in accordance with paragraph (d) of this section on the basis of the total period of service thus computed, including extra service credits as provided in paragraph (k) of this section, the fractional part of a month, if any, to be eliminated from such total period of service; or if he is over sixty-five years of age (unless he is retained in active service as provided in paragraph (d) of this section), or not in active service, on the effective date of this Act such annuity shall begin on the date he complies with all the requirements of law to entitle him to such annuity.”

Approved, July 19, 1939.

#### [CHAPTER 331]

#### AN ACT

To provide certain benefits for World War veterans and their dependents, and for other purposes.

July 19, 1939  
[H. R. 5452]  
[Public, No. 198]

World War, etc., veterans.  
48 Stat. 1281.  
38 U. S. C. § 503.

Surviving widow or child of deceased veteran, benefits where death not service connected.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 1 of Public Law Numbered 484, Seventy-third Congress, June 28, 1934, as amended, is hereby amended to read as follows:

“SEC. 1. (a) The surviving widow, child, or children of any deceased person who served in the World War before November 12, 1918, or if the person was serving with the United States military forces in Russia before April 2, 1920, who, while receiving or entitled to receive compensation, pension, or retirement pay for 10 per centum disability or more presumptively or directly incurred in or aggravated by service in the World War, dies or has died from a disease or disability not

service connected shall, upon filing application and such proofs in the Veterans' Administration as the Administrator of Veterans' Affairs may prescribe, be entitled to receive compensation as provided by this Act.

"(b) The surviving widow, child, or children of any deceased person who served in the World War before November 12, 1918, or if the person was serving with the United States military forces in Russia before April 2, 1920, and who was honorably discharged after having served ninety days or more (or who, having served less than ninety days, was discharged for disability incurred in the service in line of duty), who dies or has died from a disease or disability not service connected and at the time of death had a disability directly or presumptively incurred in or aggravated by service in the World War for which compensation would be payable if 10 per centum or more in degree, shall, upon filing application and such proofs in the Veterans' Administration as the Administrator of Veterans' Affairs may prescribe, be entitled to receive compensation as provided by this Act.

"(c) Payment of compensation under the provisions of this Act shall not be made to any widow without child, or a child, whose annual income exceeds \$1,000, or to a widow with a child or children whose annual income exceeds \$2,500. In determining annual income, payments of war risk term insurance, United States Government life (converted) insurance, and payments under the World War Adjusted Compensation Act, as amended (U. S. C., title 38, ch. 11), and the Adjusted Compensation Payment Act, 1936, as amended, shall not be considered. Except as provided in section 6 of Public Law Numbered 304, Seventy-fifth Congress, August 16, 1937 (U. S. C., title 38, sec. 472d), compensation authorized by this Act shall not be payable effective prior to the receipt of application therefor in the Veterans' Administration; and in no event shall compensation herein authorized be effective prior to the date of enactment of this Act."

SEC. 2. Section 2 of Public Law Numbered 484, Seventy-third Congress, as amended (U. S. C., title 38, sec. 504), is hereby amended to read as follows:

"SEC. 2. (a) The monthly rates of compensation shall be as follows: Widow but no child, \$30; widow with one child, \$38 (with \$4 for each additional child); no widow but one child, \$15; no widow but two children, \$22 (equally divided); no widow but three children, \$30 (equally divided) (with \$3 for each additional child; total amount to be equally divided).

"(b) The total compensation payable under this section shall not exceed \$64. Where such benefits would otherwise exceed \$64, the amount of \$64 may be apportioned as the Administrator of Veterans' Affairs may prescribe."

SEC. 3. Section 4 of Public Law Numbered 484, Seventy-third Congress, June 28, 1934, as amended (U. S. C., title 38, sec. 506), is hereby amended to read as follows:

"SEC. 4. For the purpose of awarding compensation under the provisions of this Act, as amended, service connection of a disability at the date of death, and degree thereof where required, may be determined in any case where a claim has been or is filed by the widow, child, or children of a deceased World War veteran. Proof of disability at the date of death, and degree thereof where required, and evidence as to service connection, may be filed at any time after the date of enactment of this Act or the date of death. Evidence required in connection with any claim must be submitted in accordance with regulations prescribed by the Administrator of Veterans' Affairs."

Service qualifications of veteran.

Payment of compensation; restriction.

43 Stat. 121; 49 Stat. 1099.  
38 U. S. C. ch. 11; Supp. IV, chs. 11, 11a.

50 Stat. 661.  
38 U. S. C., Supp. IV, 472d.  
Time of payment.

48 Stat. 1281.  
38 U. S. C. § 504.

Rates of compensation.

Maximum; when apportioned.

48 Stat. 1282.  
38 U. S. C. § 506; Supp. IV, § 506.

Determination of service connection of a disability.

Evidence.

Hospitalization and domiciliary care provisions.

SEC. 4. In the administration of laws pertaining to veterans, retired officers, and enlisted men of the Army, Navy, Marine Corps, and Coast Guard, who served honorably during a war period as recognized by the Veterans' Administration, shall be, and are, entitled to hospitalization and domiciliary care in Veterans' Administration facilities on parity with other war veterans and subject to those provisions of paragraph VI (A) of Veterans Regulation Numbered 6 (c), which provide for reduction of monetary benefits to veterans having neither wife, child, nor dependent parent while being furnished hospital treatment, institutional, or domiciliary care.

Rates of death compensation.

SEC. 5. Effective on the 1st day of the month next following the date of enactment of this Act, the rates of death compensation payable under the provisions of existing laws or veterans regulations to a surviving widow, child, or children, and/or dependent mother or father now on the rolls or hereafter to be placed on the rolls as the surviving widow, child, or children, and/or dependent mother or father of any World War veteran who died as the result of injury or disease incurred in or aggravated by active military or naval service in the World War, shall be as follows:

Condition.

Widow, age under fifty years, \$38; widow, age fifty years or over, \$45; widow with one child, \$10 additional for such child up to ten years of age, increased to \$15 from age ten (with \$8 for each additional child up to ten years of age, increased to \$13 from age ten) (subject to apportionment regulations); no widow but one child, \$20; no widow but two children, \$33 (equally divided); no widow but three children, \$46 (equally divided) (with \$8 for each additional child, total amount to be equally divided); dependent mother or father, \$45 (or both) \$25 each. As to the widow, child, or children, the total compensation payable under this section shall not exceed \$83. The amount of compensation herein authorized shall be paid in the event the monthly payment of compensation under Veterans Regulation Numbered 1 (g) and the monthly payment of yearly renewable term or automatic insurance does not aggregate or exceed the amount of compensation herein authorized.

Effective date of awards.

As to the surviving widow, child, or children, and/or dependent mother or father on the rolls on the date of enactment of this Act, any increased award herein authorized shall be effective from the date of enactment of this Act and in all other cases, except as provided in section 6 of Public Law Numbered 304, Seventy-fifth Congress, approved August 16, 1937, effective dates of awards shall be governed by the provisions of veterans regulations promulgated under Public Law Numbered 2, Seventy-third Congress, March 20, 1933.

50 Stat. 661.  
38 U. S. C., Supp. IV, § 472d.  
48 Stat. 8.  
38 U. S. C. ch. 12; Supp. IV, ch. 12.

48 Stat. 8.  
38 U. S. C. ch. 12; Supp. IV, ch. 12.

Compensation for certain specific conditions.

SEC. 6. Subparagraph (k) of paragraph II, part I, of Veterans Regulation Numbered 1 (a), promulgated under Public Law Numbered 2, Seventy-third Congress, March 20, 1933, is hereby amended to read as follows:

Interest rate on loans.

"(k) If the disabled person, as the result of service-incurred disability, has suffered the anatomical loss or the loss of the use of only one foot, or one hand, or one eye, the rate of pension provided in part I, paragraph II (a) to (j), shall be increased by \$35 per month."

SEC. 7. On and after the date of enactment of this Act, the rate of interest charged on any loan secured by a lien on United States Government life (converted) insurance shall not exceed 5 per centum per annum.

Approved, July 19, 1939.

## [CHAPTER 334]

## AN ACT

To empower the President of the United States to create new national forest units and make additions to existing national forests in the State of Montana.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the President of the United States is authorized, in his discretion, to add to existing national forests, or to include within new national forests, by proclamation or Executive order, any unappropriated public lands of the United States situated in the State of Montana which, in his opinion, are chiefly valuable for the production of timber or the protection of watersheds: *Provided*, That the inclusion of such lands within a national forest shall be subject to any claim, entry, or appropriation under the public land laws then valid and subsisting and thereafter legally maintained.

SEC. 2. All previous Acts and parts of Acts in conflict herewith are hereby repealed insofar as they apply to the State of Montana.

Approved, July 20, 1939.

July 20, 1939

[S. 26]

[Public, No. 199]

National forests.  
President authorized to create new or add to existing units in State of Montana.

*Proriso.*  
Subject to valid and subsisting rights.

Conflicting laws, etc., repealed.

## [CHAPTER 335]

## AN ACT

To authorize an appropriation to meet such expenses as the President, in his discretion, may deem necessary to enable the United States to cooperate with the Republic of Panama in completing the construction of a national highway between Chorrera and Rio Hato, Republic of Panama, for defense purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there is hereby authorized to be appropriated the sum of not to exceed \$1,500,000, to meet such expenses as the President, in his discretion, may deem necessary to enable the United States to cooperate with the Republic of Panama in connection with the construction of a highway between Chorrera and Rio Hato, in the Republic of Panama: *Provided*, That the expenditure of such sum shall be subject to the receipt of assurances satisfactory to the President from the Government of the Republic of Panama of its cooperation in such construction.

Approved, July 20, 1939.

July 20, 1939

[S. 2163]

[Public, No. 200]

Panama.  
Highway between Chorrera and Rio Hato.  
Appropriation authorized for cooperation in construction.  
*Post*, p. 1327.  
*Proviso.*  
Cooperation by Government of Panama.

## [CHAPTER 336]

## AN ACT

To amend the Second Liberty Bond Act, as amended.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 21 of the Second Liberty Bond Act (49 Stat. 21, as amended; U. S. C., Supp. IV, title 31, sec. 757b), is amended by striking out the following proviso: "*Provided*, That the face amount of bonds issued under the authority of this Act shall not exceed in the aggregate \$30,000,000,000 outstanding at any one time."

Approved, July 20, 1939.

July 20, 1939

[H. R. 5748]

[Public, No. 201]

Second Liberty Bond Act, amendment.  
52 Stat. 447.  
31 U. S. C., Supp. IV, § 757 b.  
Limitation on face amount of bonds removed.

## [CHAPTER 337]

## JOINT RESOLUTION

Consenting to an interstate oil compact to conserve oil and gas.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the consent of Congress is hereby given to an extension and renewal for a period of two years from September 1, 1939, of the interstate compact to conserve oil and gas, executed in the city of Dallas, Texas, the 16th day of February 1935 by the representatives of the States of Oklahoma,

July 20, 1939

[H. J. Res. 329]

[Pub. Res., No. 31]

Oil and gas conservation.  
Consent given to extension of interstate compact concerning.



49 Stat. 939.

50 Stat. 617.

Text of compact.

Texas, California, and New Mexico, and thereafter recommended for ratification by the representatives of the States of Arkansas, Colorado, Illinois, Kansas, and Michigan, and subsequently ratified by the States of New Mexico, Kansas, Oklahoma, Illinois, Colorado, and Texas, which said compact was deposited in the Department of State of the United States, and thereafter such compact was, by the President, presented to the Congress and the Congress gave consent to such compact by H. J. Res. 407, approved August 27, 1935 (Public Resolution Numbered 64, Seventy-fourth Congress), and which said compact was thereafter extended and renewed for a period of two years from September 1, 1937, by an agreement executed in New Orleans, Louisiana, the 10th day of May 1937, by the representatives of the States of Oklahoma, Texas, Kansas, and New Mexico, and was duly ratified by the States of Oklahoma, Texas, Kansas, New Mexico, Illinois, and Colorado, and was deposited in the Department of State of the United States, and thereafter such extended and renewed compact was, by the President, presented to the Congress and the Congress gave consent to such extended and renewed compact by S. J. Res. 183, approved August 10, 1937 (Public Resolution Numbered 57, Seventy-fifth Congress).

The extended and renewed compact, dated the 5th day of April 1939, duly executed by the representatives of the States of Oklahoma, Texas, Kansas, New Mexico, Colorado, and Michigan, and duly authorized and ratified by the said States of Oklahoma, Texas, Kansas, New Mexico, Colorado, and Michigan, and which extended and renewed compact has been deposited in the Department of State of the United States, reads as follows:

“AN AGREEMENT TO EXTEND THE INTERSTATE COMPACT TO CONSERVE  
OIL AND GAS

“Whereas, on the 16th day of February 1935, in the city of Dallas, Texas, there was executed ‘An interstate compact to conserve oil and gas’ which was thereafter formally ratified and approved by the States of Oklahoma, Texas, New Mexico, Illinois, Colorado, and Kansas, the original of which is now on deposit with the Department of State of the United States, a true copy of which follows:

“AN INTERSTATE COMPACT TO CONSERVE OIL AND GAS

“ARTICLE I

“This agreement may become effective within any compacting State at any time as prescribed by that State, and shall become effective within those States ratifying it whenever any three of the States of Texas, Oklahoma, California, Kansas, and New Mexico have ratified and Congress has given its consent. Any oil-producing State may become a party hereto as hereinafter provided.

“ARTICLE II

“The purpose of this compact is to conserve oil and gas by the prevention of physical waste thereof from any cause.

“ARTICLE III

“Each State bound hereby agrees that within a reasonable time it will enact laws, or if laws have been enacted, then it agrees to continue the same in force, to accomplish within reasonable limits the prevention of:

- “(a) The operation of any oil well with an inefficient gas-oil ratio.
- “(b) The drowning with water of any stratum capable of producing oil or gas, or both oil and gas in paying quantities.

"(c) The avoidable escape into the open air or the wasteful burning of gas from a natural-gas well.

"(d) The creation of unnecessary fire hazards.

"(e) The drilling, equipping, locating, spacing, or operating of a well or wells so as to bring about physical waste of oil or gas or loss in the ultimate recovery thereof.

"(f) The inefficient, excessive, or improper use of the reservoir energy in producing any well.

"The enumeration of the foregoing subjects shall not limit the scope of the authority of any State.

#### "ARTICLE IV

"Each State bound hereby agrees that it will, within a reasonable time, enact statutes, or if such statutes have been enacted then that it will continue the same in force, providing in effect that oil produced in violation of its valid oil and/or gas-conservation statutes or any valid rule, order, or regulation promulgated thereunder, shall be denied access to commerce; and providing for stringent penalties for the waste of either oil or gas.

#### "ARTICLE V

"It is not the purpose of this compact to authorize the States joining herein to limit the production of oil or gas for the purpose of stabilizing or fixing the price thereof, or create or perpetuate monopoly, or to promote regimentation, but is limited to the purpose of conserving oil and gas and preventing the avoidable waste thereof within reasonable limitations.

#### "ARTICLE VI

"Each State joining herein shall appoint one representative to a commission hereby constituted and designated as 'The Interstate Oil Compact Commission', the duty of which said Commission shall be to make inquiry and ascertain from time to time such methods, practices, circumstances, and conditions as may be disclosed for bringing about conservation and the prevention of physical waste of oil and gas, and at such intervals as said Commission deems beneficial it shall report its findings and recommendations to the several States for adoption or rejection.

"The Commission shall have power to recommend the coordination of the exercise of the police powers of the several States within their several jurisdictions to promote the maximum ultimate recovery from the petroleum reserves of said States, and to recommend measures for the maximum ultimate recovery of oil and gas. Said Commission shall organize and adopt suitable rules and regulations for the conduct of its business.

"No action shall be taken by the Commission except: (1) By the affirmative votes of the majority of the whole number of the compacting States, represented at any meeting, and (2) by a concurring vote of a majority in interest of the compacting States at said meeting, such interest to be determined as follows: Such vote of each State shall be in the decimal proportion fixed by the ratio of its daily average production during the preceding calendar half-year to the daily average production of the compacting States during said period.

#### "ARTICLE VII

"No State by joining herein shall become financially obligated to any other State, nor shall the breach of the terms hereof by any State subject such State to financial responsibility to the other States joining herein.

## "ARTICLE VIII

"This compact shall expire September 1, 1937. But any State joining herein may, upon sixty days' notice, withdraw herefrom.

"The representatives of the signatory States have signed this agreement in a single original which shall be deposited in the archives of the Department of State of the United States, and a duly certified copy shall be forwarded to the governor of each of the signatory States.

"This compact shall become effective when ratified and approved as provided in article 1. Any oil-producing State may become a party hereto by affixing its signature to a counterpart to be similarly deposited, certified, and ratified.

"Done in the city of Dallas, Texas, this 16th day of February 1935." Whereas said Interstate Compact was heretofore duly renewed and extended for two years from September 1, 1937, its original expiration date, to September 1, 1939; and,

Whereas it is desired to again extend and renew said Interstate Compact to Conserve Oil and Gas for another period of two years from September 1, 1939, its present expiration date, to September 1, 1941: Now therefore, this writing witnesseth:

It is hereby agreed that the said Compact entitled "An Interstate Compact to Conserve Oil and Gas" executed in the city of Dallas, Texas, on the 16th day of February 1935, and now on deposit with the Department of State of the United States, a correct copy of which appears above, be, and the same hereby is, extended for a period of two years from September 1, 1939, its present date of expiration, this agreement to become effective within those States joining herein when executed by any three of the States of Texas, Oklahoma, California, Kansas, and New Mexico, and consent thereto is given by Congress.

The signatory States executed this agreement in a single original which shall be deposited in the archives of the Department of State of the United States and a duly certified copy thereof shall be forwarded to the governor of each of the signatory States.

Executed as of this the 5th day of April 1939 by the several undersigned States, at their several capitols, through their proper officials thereunto duly authorized by statutes, resolutions, or proclamations of the several States.

Rights reserved.

SEC. 2. The right to alter, amend, or repeal the provisions of section 1 is hereby expressly reserved.

Approved, July 20, 1939.

## [CHAPTER 338]

## AN ACT

To provide for probationary appointments of officers in the Regular Army.

July 25, 1939

[S. 1155]

[Public, No. 202]

National Defense Act, amendment.  
41 Stat. 771.

Probationary appointments of officers in the Regular Army.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 23 of the National Defense Act, as amended by the Act of June 4, 1920 (41 Stat. 771), be, and the same is hereby, amended to read as follows:

"SEC. 23. ORIGINAL APPOINTMENTS TO BE PROBATIONARY.—The Secretary of War, under such regulations as he may prescribe, may hereafter revoke the commission of any officer on the active list, initially commissioned after the date of this Act, who, at the date of said revocation, has had less than three years of continuous service as a commissioned officer of the Army, and each officer whose com-

mission is so revoked shall be discharged from the Army: *Provided*, That until July 1, 1942, the marriage of an officer shall not be a cause for revocation of commission but that after that date, under regulations issued pursuant to the authority contained in this Act, marriage may be a cause for revocation of commission only in the event that the officer marries within one year subsequent to the date of his original commission."

Approved, July 25, 1939.

*Proviso.*  
Marriage as cause  
for commission revo-  
cation.

[CHAPTER 339]

AN ACT

To authorize the Secretary of War to make contracts, agreements, or other arrangements for the supplying of water to the Golden Gate Bridge and Highway District.

July 25, 1939  
[H. R. 2168]  
[Public, No. 203]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That power and authority are hereby granted to the Secretary of War to make and enter into contracts, agreements, or other arrangements, whereby the Golden Gate Bridge and Highway District will receive water through the water-pipe lines on the Military Reservation of the Presidio of San Francisco, California, for use at the toll plaza of the Golden Gate Bridge. Such contracts, agreements, or other arrangements, will be for periods of not more than five years each, and shall provide that the water received through the Government's lines shall be metered and delivered at the water mains on the military reservation. Water so delivered shall be replaced in kind from the water mains of the city of San Francisco, California, or other acceptable source, at the expense of the Golden Gate Bridge and Highway District, by an equal quantity of water plus 5 per centum additional to cover wastage. Any expense incident to the extension and maintenance of the lines or additional equipment necessary to bring the water to the toll plaza must be met by the Golden Gate Bridge and Highway District.

Golden Gate Bridge  
and Highway District.  
Contracts, etc., au-  
thorized for supply-  
ing water.

Terms and condi-  
tions.

Expense.

Approved, July 25, 1939.

[CHAPTER 340]

AN ACT

To transfer the control and jurisdiction of the Park Field Military Reservation, Shelby County, Tennessee, from the War Department to the Department of Agriculture.

July 25, 1939  
[H. R. 3364]  
[Public, No. 204]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the lands embracing the Park Field Military Reservation, Shelby County, Tennessee, together with all improvements and equipment thereon, be, and they are hereby, transferred from the control and jurisdiction of the War Department to the control and jurisdiction of the Department of Agriculture.

Park Field Military Reservation,  
Shelby Co., Tenn.  
Jurisdiction transferred to Department  
of Agriculture.

SEC. 2. The Secretary of Agriculture of the United States is authorized to supervise, control, and direct the development and administration of the said lands, improvements, and equipment pursuant to the powers, functions, and duties heretofore vested in him by Executive Order Numbered 7530 of December 31, 1936, as amended by Executive Order Numbered 7557 of February 19, 1937.

Supervision of de-  
velopment, etc.

Approved, July 25, 1939.

## [CHAPTER 341]

## AN ACT

July 25, 1939  
[H. R. 5523]  
[Public, No. 205]

Authorizing the States of Minnesota and Wisconsin to construct, maintain, and operate a free highway bridge across the Saint Croix River at or near Osceola, Wisconsin, and Chisago County, Minnesota.

Saint Croix River.  
Bridge authorized  
across, at Osceola,  
Wis.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the States of Wisconsin and Minnesota be, and are hereby, authorized to construct, maintain, and operate a free highway bridge and approaches thereto across the Saint Croix River, at a point suitable to the interests of navigation, at or near Osceola in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

34 Stat. 84.  
33 U. S. C. §§ 491-498.

Acquisition of real  
estate, etc.

SEC. 2. There is hereby conferred upon the States of Minnesota and Wisconsin all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Amendment.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, July 25, 1939.

## [CHAPTER 342]

## AN ACT

July 25, 1939  
[H. R. 5785]  
[Public, No. 206]

Granting the consent of Congress to the State of Mississippi to construct, maintain, and operate a free highway bridge across Pearl River at or near Georgetown, Mississippi.

Pearl River.  
Bridge authorized  
across, at Georgetown,  
Miss.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to the State of Mississippi to construct, maintain, and operate a free highway bridge and approaches thereto, across Pearl River at or near Georgetown, Mississippi, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

34 Stat. 84.  
33 U. S. C. §§ 491-  
498.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, July 25, 1939.

## [CHAPTER 343]

## AN ACT

July 25, 1939  
[H. R. 5786]  
[Public, No. 207]

Granting the consent of Congress to the State of Mississippi or Madison County, Mississippi, to construct, maintain, and operate a free highway bridge across Pearl River at or near Ratliffs Ferry in Madison County, Mississippi.

Pearl River.  
Bridge authorized  
across, at Ratliffs  
Ferry, Miss.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to the State of Mississippi or Madison County, Mississippi, to construct, maintain, and operate

a free highway bridge and approaches thereto across Pearl River, at a point suitable to the interests of navigation, at or near Ratliffs Ferry in Madison County, Mississippi, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, July 25, 1939.

34 Stat. 84.  
33 U. S. C. §§ 491-498.  
Amendment.

[CHAPTER 344]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near a point between Morgan and Wash Streets in the city of Saint Louis, Missouri, and a point opposite thereto in the city of East Saint Louis, Illinois.

July 25, 1939  
[H. R. 5963]  
[Public, No. 208]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of a bridge across the Mississippi River, at or near a point between Morgan and Wash Streets in the city of Saint Louis, Missouri, and a point opposite thereto in the city of East Saint Louis, Illinois, authorized to be built by the city of East Saint Louis, Illinois, by an Act of Congress approved May 3, 1934, and heretofore extended by Acts of Congress approved August 5, 1935, May 1, 1936, June 2, 1937, and June 29, 1938, are hereby further extended one and three years, respectively, from May 3, 1939.

Mississippi River.  
Time extended for  
bridging, Saint Louis,  
Mo., to East Saint  
Louis, Ill.

48 Stat. 661; 49 Stat.  
536, 1254; 50 Stat. 244;  
52 Stat. 1228.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, July 25, 1939.

[CHAPTER 345]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Mississippi River between Saint Louis, Missouri, and Stites, Illinois.

July 25, 1939  
[H. R. 5964]  
[Public, No. 209]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of a bridge across the Mississippi River, at or near a point on Broadway between Florida and Mullanphy Streets in the city of Saint Louis, Missouri, and a point opposite thereto, in the town of Stites, in the county of Saint Clair, State of Illinois, and connecting with Saint Clair Avenue extended, in said town, authorized to be built by the county of Saint Clair, Illinois, by an Act of Congress approved August 30, 1935, heretofore extended by Acts of Congress approved May 1, 1936, June 9, 1937, and June 29, 1938, are hereby further extended one and three years, respectively, from August 30, 1939.

Mississippi River.  
Time extended for  
bridging, Saint Louis,  
Mo., to Stites, Ill.

49 Stat. 1057, 1253;  
50 Stat. 251; 52 Stat.  
1227.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, July 25, 1939.

## [CHAPTER 346]

## AN ACT

July 25, 1939

[H. R. 5984]

[Public, No. 210]

Granting the consent of Congress to the county of Allegheny, Pennsylvania, to construct, maintain, and operate free highway bridges across the Monongahela River, in Allegheny County, State of Pennsylvania.

Monongahela River.  
Bridges authorized  
across, in Allegheny  
Co., Pa.

Dravosburg to Mc-  
Keesport.

Rankin to Whit-  
aker.

34 Stat. 84.  
33 U. S. C. §§ 491-  
498.  
Amendment.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to the county of Allegheny, Pennsylvania, its successors and assigns, to construct, maintain, and operate free highway bridges and approaches thereto—

(a) Across the Monongahela River, at a point suitable to the interests of navigation, from Dravosburg, Pennsylvania, to a terminus at or near the dividing line between the city of McKeesport and the borough of Glassport, Pennsylvania, to replace the existing Dravosburg Bridge from Dravosburg to McKeesport, Pennsylvania.

(b) Across the Monongahela River, at a point suitable to the interests of navigation, from the borough of Rankin, Pennsylvania, to the borough of Whitaker, Pennsylvania, to replace the existing Rankin Bridge, all in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, July 25, 1939.

## [CHAPTER 347]

## AN ACT

July 25, 1939

[H. R. 6045]

[Public, No. 211]

To authorize the Secretary of the Navy to accept on behalf of the United States certain land in the city of Seattle, King County, Washington, with improvements thereon.

Seattle, Wash.  
Acceptance of cer-  
tain land with im-  
provements thereon  
from, authorized.

Use.  
Proviso.  
No Federal expense.

Conditions of ac-  
ceptance.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Navy is hereby authorized on behalf of the United States to accept from the city of Seattle and county of King, Washington, a site free from all encumbrances, the title in fee simple, together with the improvements, rights, privileges, and appurtenances belonging thereto, including an armory building constructed or to be constructed thereon in accordance with plans to be approved by the Secretary of the Navy, for use of the United States Naval and Marine Corps Reserve: *Provided*, That the acquisition of said land shall be without cost to the United States, and that the grading and landscaping of said land and the construction and completion of said armory building thereon shall not entail any obligation against appropriations of the Navy Department or relief funds apportioned to it: *Provided further*, That the acceptance by the Secretary of the Navy shall not be made until the grading and landscaping of the said land and the construction of said armory building are satisfactorily completed.

Approved, July 25, 1939.

## [CHAPTER 348]

## AN ACT

To authorize major overhauls for certain naval vessels, to authorize the acquisition of two motor vessels for the Navy, and for other purposes.

July 25, 1939  
[H. R. 6065]  
[Public, No. 212]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That for the purpose of effecting major overhauls of the United States ships Tennessee, California, Colorado, Maryland, and West Virginia alterations and repairs to such vessels are hereby authorized and expenditures therefor shall not be limited by the provisions of the Act approved July 18, 1935 (49 Stat. 482; 5 U. S. C. 468a), but the total cost of such alterations and repairs shall not exceed \$6,660,000 for all five vessels, in addition to \$450,000 per vessel for each period of eighteen consecutive months.

Navy.  
Removal of certain cost limitations for overhauls of designated vessels.

49 Stat. 482.  
5 U. S. C., Supp. IV, § 468a.  
Total cost, limitation.

SEC. 2. The President is hereby authorized to acquire two motor vessels from the Maritime Commission and to convert them for use by the Navy at a total cost of such acquisition and conversion of not more than \$2,500,000.

Acquisition and conversion of two motor vessels.  
Post, p. 1322.

Approved, July 25, 1939.

## [CHAPTER 349]

## AN ACT

To amend section 5 of the Act of April 3, 1939 (Public, Numbered 18, Seventy-sixth Congress).

July 25, 1939  
[H. R. 6070]  
[Public, No. 213]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 5 of the Act approved April 3, 1939 (Public, Numbered 18, Seventy-sixth Congress), is hereby amended by inserting after the comma in line 5 of the final proviso of that section the expression "other than for service with the Civilian Conservation Corps,".

Reserve officers, Army.  
Service with Civilian Conservation Corps; exclusion of certain benefits.  
Ante, p. 557.

Approved, July 25, 1939.

## [CHAPTER 350]

## AN ACT

Granting the consent of Congress to the Arkansas State Highway Commission to construct, maintain, and operate a free highway bridge across the Black River at or near the town of Black Rock, Arkansas.

July 25, 1939  
[H. R. 6079]  
[Public, No. 214]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the consent of Congress is hereby granted to the Arkansas State Highway Commission to construct, maintain, and operate a free highway bridge and approaches thereto across the Black River, at a point suitable to the interests of navigation, at or near the town of Black Rock, Arkansas, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Black River.  
Bridge authorized across, at Black Rock, Ark.

34 Stat. 84.  
33 U. S. C. §§ 491-498.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, July 25, 1939.



## [CHAPTER 351]

## AN ACT

July 25, 1939  
[H. R. 6111]  
[Public, No. 215]

To extend the times for commencing and completing the construction of a bridge across the Red River at or near a point suitable to the interests of navigation, from a point in Walsh County, North Dakota, at or near the terminus of North Dakota State Highway Numbered 17.

Red River.  
Time extended for  
bridging, Walsh Co.,  
N. Dak., to Mar-  
shall Co., Minn.  
Location.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of a bridge across the Red River, at or near a point suitable to the interests of navigation from a point in Walsh County, North Dakota, at or near the terminus of North Dakota State Highway Numbered 17, such point being located near the dividing line between sections 18 and 19, township 157 north, range 51 west, fourth principal meridian, to a point in Marshall County, Minnesota, located near the dividing line between sections 17 and 20, township 157 north, range 50 west, fourth principal meridian, authorized to be built by the North Dakota State Highway Department and the Department of Highways of the State of Minnesota, by an Act of Congress approved June 16, 1938, are hereby extended one and three years, respectively, from June 16, 1939.

52 Stat. 763.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, July 25, 1939.

## [CHAPTER 352]

## AN ACT

July 25, 1939  
[H. R. 6205]  
[Public, No. 216]

To provide for additional clerk hire in the House of Representatives, and for other purposes.

Congressional em-  
ployees.  
Additional clerk  
hire, Members of  
Congress, etc.  
42 Stat. 1217.  
2 U. S. C. § 92.  
Post, p. 1301.  
Legislative Pay Act  
of 1929, amendments.  
46 Stat. 34.  
2 U. S. C. § 60a,  
Supp. IV, § 60a.  
Existing resolution  
repealed.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the joint resolution entitled "Joint resolution providing for pay to clerks to Members of Congress and Delegates", approved January 25, 1923 (U. S. C., title 2, sec. 92), is amended by striking out "to one or two persons" and inserting in lieu thereof "to one, two, or three persons".

SEC. 2. Section 1 of the Legislative Pay Act of 1929 (U. S. C., title 2, sec. 60 (a)), is amended by adding two new paragraphs under the caption "Clerical Assistance to Senators", as follows:

"Ninety-six additional clerks at \$1,800 each, one for each Senator, in lieu of the assistant clerks now authorized by S. Res. 144, agreed to August 15, 1935, which resolution is hereby repealed as of January 1, 1940.

Additional clerical  
assistance to Senators.

"Each Senator shall have one additional clerk at \$1,500 per annum, and in addition thereto each Senator from any State which has a population of three million or more inhabitants shall be entitled, in addition to the one clerical assistant provided for in this paragraph, to one additional clerk at the rate of \$1,500 per annum."

SEC. 3. Section 2 of the Legislative Pay Act of 1929 (U. S. C., title 2, sec. 60 (b)) is amended to read as follows:

"SEC. 2. The clerk hire of each Member, Delegate, and Resident Commissioner shall be at the rate of \$6,500 per annum and shall be paid in accordance with the joint resolution of January 25, 1923, as amended: *Provided*, That no person shall receive a salary from such clerk hire at a rate in excess of \$3,900 per annum."

SEC. 4. This Act shall become effective on January 1, 1940.

Approved, July 25, 1939.

46 Stat. 38.  
2 U. S. C. § 60b.  
Post, p. 1301.  
Clerk hire, Mem-  
bers, Delegates, and  
Resident Commis-  
sioners.  
42 Stat. 1217.  
2 U. S. C. § 92.  
Proviso.  
Maximum salary.  
Effective date.

## [CHAPTER 353]

## AN ACT

Granting the consent of Congress to the State of Minnesota or the Minnesota Department of Highways to construct, maintain, and operate a free highway bridge across the Mississippi River at or near Little Falls, Minnesota.

July 25, 1939  
[H. R. 6502]  
[Public, No. 217]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to the State of Minnesota or the Minnesota Department of Highways to construct, maintain, and operate a free highway bridge and approaches thereto across the Mississippi River, at a point suitable to the interests of navigation, at or near Little Falls, Minnesota, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Mississippi River.  
Bridge authorized  
across, at Little Falls,  
Minn.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

34 Stat. 84.  
33 U. S. C. §§ 491-  
498.  
Amendment.

Approved, July 25, 1939.

## [CHAPTER 354]

## AN ACT

Granting the consent of Congress to the Commissioners of Mahoning County, Ohio, to replace a bridge which has collapsed, across the Mahoning River at Division Street, Youngstown, Mahoning County, Ohio.

July 25, 1939  
[H. R. 6527]  
[Public, No. 218]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to the Commissioners of Mahoning County, Ohio, to replace a bridge which has collapsed, across the Mahoning River at Division Street, Youngstown, Mahoning County, Ohio, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Mahoning River.  
Bridge authorized  
across, at Youngs-  
town, Ohio.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

34 Stat. 84.  
33 U. S. C. §§ 491-  
498.

Amendment.

Approved, July 25, 1939.

## [CHAPTER 355]

## AN ACT

Granting the consent of Congress to Northern Natural Gas Company of Delaware to construct, maintain, and operate a pipe-line bridge across the Missouri River.

July 25, 1939  
[H. R. 6578]  
[Public, No. 219]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to Northern Natural Gas Company of Delaware, its successors and assigns, to construct, maintain, and operate a pipe-line bridge and approaches thereto across the Missouri River from a point in Dakota County in the State of Nebraska to a point in Woodbury County in the State of Iowa, at a point suitable to the interests of navigation: *Provided*, That the work shall not be commenced until the plans therefor have been submitted to and approved by the Chief of Engineers, United States Army, and by the Secretary of War: *Provided further*, That in approving the plans for said pipe-line bridge, such conditions and stipulations may be imposed as the Chief of Engineers and the Secretary of War may deem necessary to protect the present and future interests of the United States.

Missouri River.  
Pipe-line bridge au-  
thorized across, Da-  
kota Co., Nebr., to  
Woodbury Co., Iowa.

*Proviso.*  
Submission of plans.

Conditions and stip-  
ulations imposed.

Transfer of rights.

SEC. 2. The right to sell, assign, transfer, and mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to Northern Natural Gas Company of Delaware, its successors and assigns, and any corporation to which such rights, powers, and privileges may be sold, assigned, or transferred, or which shall acquire the same by mortgage foreclosure or otherwise, is fully authorized to exercise the same as fully as though conferred herein directly upon such corporation.

Amendment.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, July 25, 1939.

## [CHAPTER 356]

## AN ACT

July 25, 1939  
[H. R. 6672]  
[Public, No. 220]

To amend the Act entitled "An Act to create a new division of the District Court of the United States for the Northern District of Texas", approved May 26, 1928 (45 Stat. 747).

Texas northern judicial district.

45 Stat. 747.  
28 U. S. C. § 189.

Lubbock division.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act to create a new division of the District Court of the United States for the Northern District of Texas, approved May 26, 1928 (45 Stat. 747), be, and is hereby, amended to read as follows:

"That there is hereby created, in addition to those now provided by law, a new division of the District Court of the United States for the Northern District of Texas, which shall include the territory now embraced in the counties of Bailey, Borden, Lamb, Floyd, Kent, Motley, Hale, Dickens, Crosby, Lubbock, Scurry, Hockley, Cochran, Yoakum, Terry, Lynn, Garza, Dawson, and Gaines, which shall constitute the Lubbock division of said district. Terms of the district court for the Lubbock division shall be held at Lubbock on the third Monday in May and the fourth Monday in November.

Terms of court.

Clerk's office.

"The clerk of the court for the northern district shall maintain an office in charge of himself or a deputy, in addition to the places now provided, at Lubbock, which shall be kept open at all times for the transaction of the business of the court."

Conflicting laws repealed.

SEC. 2. All laws and parts of laws in conflict herewith are hereby repealed.

Approved, July 25, 1939.

## [CHAPTER 357]

## AN ACT

July 25, 1939  
[H. R. 6748]  
[Public, No. 221]

To extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Winona, Minnesota.

Mississippi River.  
Time extended for  
bridging, at Winona,  
Minn.

52 Stat. 1214.

Amendment.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of a bridge across the Mississippi River, at or near Winona, Minnesota, authorized to be built by the States of Minnesota and Wisconsin, jointly or separately, by an Act of Congress approved June 28, 1938, are hereby extended one and three years, respectively, from the date of approval of this Act.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, July 25, 1939.

## [CHAPTER 358]

## AN ACT

To extend the times for commencing and completing the construction of a bridge across the Niagara River at or near the city of Niagara Falls, New York, and for other purposes.

July 25, 1939  
[H. R. 6928]  
[Public, No. 222]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of a bridge across the Niagara River, at or near the city of Niagara Falls, New York, and the city of Niagara Falls, Canada, authorized to be built by the Niagara Falls Bridge Commission by an Act of Congress approved June 16, 1938, are hereby extended one and three years, respectively, from June 16, 1939: *Provided*, That the Niagara Falls Bridge Commission shall have received offers for the sale of its bonds and securities for the said bridge from responsible interested parties and the contract made as a result of such offers shall have the approval of the comptroller and the attorney general of the State of New York.

Niagara River.  
Time extended for  
bridging, at Niagara  
Falls, N. Y.

52 Stat. 767.

*Provided.*  
Bond, etc., stipula-  
tions.

Certain existing pro-  
visions repealed.  
52 Stat. 768.

SEC. 2. That so much of section 4 of Public Resolution Numbered 117 of the Seventy-fifth Congress which reads as follows: "The bridge constructed under the authority of this joint resolution shall be deemed to be an instrumentality for international commerce authorized by the Government of the United States, and said bridge and the income derived therefrom shall be exempt from all Federal, State, municipal, and local taxation, and said bonds and the interest thereon shall be exempt from all Federal, State, municipal, and local taxation", is hereby repealed.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, July 25, 1939.

## [CHAPTER 359]

## AN ACT

To authorize the attendance of the United States Naval Academy Band at the New York World's Fair on the day designated as Maryland Day at such fair.

July 25, 1939  
[S. 2805]  
[Public, No. 223]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President is authorized to permit the band of the United States Naval Academy to attend and give concerts, without expense to the United States, at the New York World's Fair on July 28, 1939, which has been designated as Maryland Day at such fair.

Maryland Day at  
New York World's  
Fair.  
Attendance of  
Naval Academy  
Band authorized.

Approved, July 25, 1939.

## [CHAPTER 366]

## AN ACT

To amend the Tennessee Valley Authority Act of 1933.

July 26, 1939  
[S. 1796]  
[Public, No. 224]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Tennessee Valley Authority Act of 1933, as amended, is amended by adding after section 15a the following new sections:

"SEC. 15b. No bonds shall be issued by the Corporation after the date of enactment of this section under section 15 or section 15a.

"SEC. 15c. With the approval of the Secretary of the Treasury the Corporation is authorized, after the date of enactment of this section, to issue bonds not to exceed in the aggregate \$61,500,000. Such bonds may be sold by the Corporation to obtain funds which may be used for the following purposes only:

Tennessee Valley  
Authority Act of 1933,  
amendments.  
49 Stat. 1078.  
16 U. S. C., Supp.  
IV, § 831n-1.  
Bond issue, restric-  
tion.

Bonds, issue author-  
ized for designated pur-  
poses only.

"(1) Not to exceed \$46,000,000 may be used for the purchase of electric utility properties of the Tennessee Electric Power

Purchase of certain  
properties.

Company and Southern Tennessee Power Company, as contemplated in the contract between the Corporation and the Commonwealth and Southern Corporation and others, dated as of May 12, 1939.

"(2) Not to exceed \$6,500,000 may be used for the purchase and rehabilitation of electric utility properties of the Alabama Power Company and Mississippi Power Company in the following named counties in northern Alabama and northern Mississippi: The counties of Jackson, Madison, Limestone, Lauderdale, Colbert, Lawrence, Morgan, Marshall, De Kalb, Cherokee, Cullman, Winston, Franklin, Marion, and Lamar in northern Alabama, and the counties of Calhoun, Chickasaw, Monroe, Clay, Lowndes, Oktibbeha, Choctaw, Webster, Noxubee, Winston, Neshoba, and Kemper in northern Mississippi.

"(3) Not to exceed \$3,500,000 may be used for rebuilding, replacing, and repairing electric utility properties purchased by the Corporation in accordance with the foregoing provisions of this section.

"(4) Not to exceed \$3,500,000 may be used for constructing electric transmission lines, substations, and other electrical facilities necessary to connect the electric utility properties purchased by the Corporation in accordance with the foregoing provisions of this section with the electric power system of the Corporation.

"(5) Not to exceed \$2,000,000 may be used for making loans under section 12a to States, counties, municipalities, and non-profit organizations to enable them to purchase any electric utility properties referred to in the contract between the Corporation and the Commonwealth and Southern Corporation and others, dated as of May 12, 1939, or any electric utility properties of the Alabama Power Company or Mississippi Power Company in any of the counties in northern Alabama or northern Mississippi named in paragraph (2).

The Corporation shall file with the President and with the Congress in December of each year a financial statement and complete report as to the expenditure of funds derived from the sale of bonds under this section covering the period not covered by any such previous statement or report. Such bonds shall be in such forms and denominations, shall mature within such periods not more than fifty years from the date of their issue, may be redeemable at the option of the Corporation before maturity in such manner as may be stipulated therein, shall bear such rates of interest not exceeding  $3\frac{1}{2}$  per centum per annum, shall be subject to such terms and conditions, shall be issued in such manner and amount, and sold at such prices, as may be prescribed by the Corporation with the approval of the Secretary of the Treasury: *Provided*, That such bonds shall not be sold at such prices or on such terms as to afford an investment yield to the holders in excess of  $3\frac{1}{2}$  per centum per annum. Such bonds shall be fully and unconditionally guaranteed both as to interest and principal by the United States, and such guaranty shall be expressed on the face thereof, and such bonds shall be lawful investments, and may be accepted as security, for all fiduciary, trust, and public funds, the investment or deposit of which shall be under the authority or control of the United States or any officer or officers thereof. In the event that the Corporation should not pay upon demand when due, the principal of, or interest on, such bonds, the Secretary of the Treasury shall pay to the holder the amount thereof, which is hereby authorized to be appropriated out of any moneys in the Treasury not otherwise appropriated, and thereupon to the extent of the amount so paid the Secretary of the Treasury shall succeed to all the

Rehabilitation of  
purchased properties.

Construction of con-  
necting electrical fa-  
cilities.

Loans to States, etc.,  
for acquiring property.

Properties in north-  
ern Alabama and  
northern Mississippi.

Bonds.  
Annual financial  
statement as to ex-  
penditure of funds  
derived from sale of.

Forms, denomina-  
tions, maturity, etc.

Redemption.

Interest rate.

Purchase price.

*Proviso.*  
Limitation on in-  
vestment yield.  
Unconditional guar-  
anty.

Use as security.

Failure of Corpora-  
tion to pay principal,  
etc.; payment from  
Treasury.

rights of the holders of such bonds. The Secretary of the Treasury, in his discretion, is authorized to purchase any bonds issued hereunder, and for such purpose the Secretary of the Treasury is authorized to use as a public-debt transaction the proceeds from the sale of any securities hereafter issued under the Second Liberty Bond Act, as amended, and the purposes for which securities may be issued under such Act, as amended, are extended to include any purchases of the Corporation's bonds hereunder. The Secretary of the Treasury may, at any time, sell any of the bonds of the Corporation acquired by him under this section. All redemptions, purchases, and sales by the Secretary of the Treasury of the bonds of the Corporation shall be treated as public-debt transactions of the United States. With the approval of the Secretary of the Treasury, the Corporation shall have power to purchase such bonds in the open market at any time and at any price. None of the proceeds of the bonds shall be used for the performance of any proposed contract negotiated by the Corporation under the authority of section 12a of this Act until the proposed contract shall have been submitted to and approved by the Federal Power Commission. When any such proposed contract shall have been submitted to the said Commission, the matter shall be given precedence and shall be in every way expedited and the Commission's determination of the matter shall be final. The authority of the Corporation to issue bonds under this section shall expire January 1, 1941, except that if at the time such authority expires the amount of bonds issued by the Corporation under this section is less than \$61,500,000, the Corporation may, subject to the foregoing provisions of this section, issue, after the expiration of such period, bonds in an amount not in excess of the amount by which the bonds so issued prior to the expiration of such period is less than \$61,500,000, for refunding purposes, or, subject to the provisions of paragraph (5) of this section (limiting the purposes for which loans under section 12a of funds derived from bond proceeds may be made) to provide funds found necessary in the performance of any contract entered into by the Corporation prior to the expiration of such period, under the authority of section 12a."

Approved, July 26, 1939.

Purchase by Secretary of Treasury.

40 Stat. 288.  
31 U. S. C. § 752;  
Supp. IV, § 752.

Sale of acquired bonds.

Redemptions, etc., treated as public-debt transactions.

Open-market purchases.

Approval by Federal Power Commission.

Termination of authority to issue; exception.

## [CHAPTER 367]

### AN ACT

To provide revenue for the District of Columbia, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act divided into titles and sections may be cited as the "District of Columbia Revenue Act of 1939."*

July 26, 1939  
[H. R. 6577]

[Public, No. 223]

District of Columbia Revenue Act of 1939.

## TITLE I—FEDERAL PAYMENT

For the fiscal year ending June 30, 1940, and for each fiscal year thereafter, there is hereby authorized to be appropriated, as the annual payment by the United States toward defraying the expenses of the government of the District of Columbia, the sum of \$6,000,000.

Annual Federal payment.

## TITLE II—INCOME TAX

This title divided into sections and paragraphs according to the following table of contents, may be cited as the "District of Columbia Income Tax Act":

District of Columbia Income Tax Act.

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#### APPLICATION OF TITLE

SECTION 1. The provisions of this title shall apply to the taxable year 1939 and succeeding taxable years, except that in the case of a taxable year beginning in 1938 and ending in 1939 the income taxable under this title shall be that fraction of the income for the entire fiscal year equal to the number of days remaining in the fiscal year after January 1, 1939, divided by three hundred and sixty-five: *Provided, however,* That if the taxpayer's records properly reflect the income for that part of the fiscal year falling in the calendar year 1939, then the portion of the fiscal year's income taxable hereunder shall be the portion received or accrued during the calendar year 1939.

Taxable year 1939 and thereafter; exception.

*Proviso.*  
Adjustments, fiscal year 1939.

#### IMPOSITION OF TAX

SEC. 2. (a) TAX ON INDIVIDUALS.—There is hereby levied for each taxable year upon the taxable income of every individual domiciled in the District of Columbia on the last day of the taxable year a tax at the following rates:

Individuals domiciled in D. C.

One per centum on the first \$5,000 of taxable income.

Rates.

One and one-half per centum on the next \$5,000 of taxable income.

Two per centum on the next \$5,000 of taxable income.

Two and one-half per centum on the next \$5,000 of taxable income.

Three per centum on the taxable income in excess of \$20,000.

(b) TAX ON CORPORATIONS.—There is hereby levied for each taxable year upon the taxable income from District of Columbia sources of every corporation, whether domestic or foreign (except those organizations expressly exempt under paragraph (d) of this section), a tax at the rate of 5 per centum thereof.

Corporations.



"Taxable income" defined.

*Post*, p. 1092.

Exemptions.

Voluntary employees' beneficiary associations.

Federal instrumentalities.

(c) DEFINITION OF "TAXABLE INCOME".—As used in this section, the term "taxable income" means the amount of the net income in excess of the credits against net income provided in section 9 of this title.

(d) EXEMPTIONS FROM TAX.—There shall be exempt from taxation under this title the following organizations: Corporations, including any community chest, fund, foundation, cemetery, association, teachers' retirement fund association, church, or club, organized and operated exclusively for religious, charitable, scientific, literary, educational, or social purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting to influence legislation; and labor organizations, trade associations, boards of trade, chambers of commerce, citizens' associations or organizations, not organized for profit and no part of the net earnings of which inures to the benefit of any private shareholder or individual; banks, insurance companies, building and loan associations, and companies, incorporated or otherwise, which guarantee the fidelity of any individual or individuals, such as bonding companies, all of which pay taxes upon gross premiums or earnings under existing laws of the District of Columbia; voluntary employees' beneficiary associations providing for the payment of life, sick, accident, or other benefits to the members of such association or their dependents, if (1) no part of their net earnings inures (other than such payments) to the benefit of any private shareholder or individual, and (2) 85 per centum or more of the income consists of amounts collected from members for the sole purpose of making such payments and meeting expenses; and corporations organized under Act of Congress, if such corporations are instrumentalities of the United States.

#### NET INCOME

"Net income" defined.

SEC. 3. DEFINITION.—The term "net income" means the gross income of a taxpayer less the deductions allowed by this title.

#### GROSS INCOME AND EXCLUSIONS THEREFROM

Individuals.  
"Gross income" construed.

SEC. 4. (a) OF INDIVIDUALS.—The words "gross income", as used in this title, include gains, profits, and income derived from salaries, wages, or compensation for personal services of whatever kind and in whatever form paid, including salaries, wages, and compensation paid by the United States to its officers and employees to the extent the same is not immune from taxation under the Constitution, or income derived from professions, vocations, trades, businesses, commerce, or sales or dealings in property, whether real or personal, growing out of the ownership, or use of, or interest in, such property; also from rent, royalties, interest, dividends, securities, or transactions of any business carried on for gain or profit, or gains or profits, and income derived from any source whatever.

Corporations.

(b) OF CORPORATIONS.—In the case of any corporation, gross income includes only the gross income from sources within the District of Columbia. The proper apportionment and allocation of income with respect to sources of income within and without the District may be determined by processes or formulas of general apportionment under rules and regulations prescribed by the Commissioners.

Exclusions from gross income.

(c) EXCLUSIONS FROM GROSS INCOME.—The following items shall not be included in gross income and shall be exempt from taxation under this title:

Life insurance.

(1) LIFE INSURANCE.—Amounts received under a life-insurance contract paid by reason of the death of the insured, whether

in a single sum or otherwise (but if such amounts are held by the insurer under an agreement to pay interest thereon, the interest payments shall be included in gross income).

(2) **ANNUITIES, AND SO FORTH.**—Amounts received (other than amounts paid by reason of the death of the insured and interest payments on such amounts and other than amounts received as annuities) under a life-insurance or endowment contract, but if such amounts (when added to amounts received before the taxable year under such contract) exceed the aggregate premiums or consideration paid (whether or not paid during the taxable year) then the excess shall be included in gross income. Amounts received as an annuity under an annuity or endowment contract shall be included in gross income; except that there shall be excluded from gross income the excess of the amount received in the taxable year over an amount equal to 3 per centum of the aggregate premiums or consideration paid for such annuity (whether or not paid during such year), until the aggregate amount excluded from gross income under this title in respect to such annuity equals the aggregate premiums or consideration paid for such annuity. In the case of a transfer for a valuable consideration, by assignment or otherwise, of a life-insurance, endowment, or annuity contract, or any interest therein, only the actual value of such consideration and the amount of the premiums and other sums subsequently paid by the transferee shall be exempt from taxation under paragraph (1) or this paragraph.

Annuities, etc.

Transfer for valuable consideration.

(3) **GIFTS, BEQUESTS, AND DEVISES.**—The value of property acquired by gift, bequest, devise, or inheritance (but the income from such property shall be included in gross income).

Gifts, bequests, and devises.

(4) **TAX-FREE INTEREST.**—Interest upon (A) the obligations of a State, Territory, or any political subdivision thereof, or the District of Columbia; or (B) obligations of a corporation organized under Act of Congress, if such corporation is an instrumentality of the United States; or (C) the obligations of the United States or its possessions.

Tax-free interest on specified obligations.

(5) **COMPENSATION FOR INJURIES OR SICKNESS.**—Amounts received, through accident or health insurance or under workmen's compensation acts, as compensation for personal injuries or sickness, plus the amount of any damages received, whether by suit or agreement on account of such injuries or sickness.

Compensation for injuries or sickness.

(6) **MINISTERS.**—The rental value of a dwelling house and appurtenances thereof furnished to a minister of the gospel as part of his compensation.

Rental value of minister's dwelling, etc.

(7) **INCOME EXEMPT UNDER TREATY.**—Income of any kind to the extent required by any treaty obligation of the United States.

Exemptions under treaty obligations.

(8) **DIVIDENDS FROM CHINA TRADE ACT CORPORATIONS.**—In the case of a person, amounts distributed as dividends to or for his benefit by a corporation organized under the China Trade Act, 1922, if, at the time of such distribution, he is a resident of China, and the equitable right to the income of the shares of stock of the corporation is in good faith vested in him.

China Trade Act corporations.

42 Stat. 849,  
15 U. S. C. ch. 4;  
Supp. IV, ch. 4.

(9) **Income of foreign governments.**

Income of foreign governments.

#### DEDUCTIONS FROM GROSS INCOME

**SEC. 5. (a) ITEMS OF DEDUCTION.**—In computing net income there shall be allowed as deductions:

Items allowed.

(1) **EXPENSES.**—All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered; traveling expenses (including the entire amount expended for meals and

Business expenses.

Traveling expenses.

	lodging) while away from home in the pursuit of a trade or business; and rentals or other payments required to be made as a condition to the continued use or possession, for purposes of the trade or business, of property to which the taxpayer has not taken or is not taking title or in which he has no equity.
Interest.	(2) <b>INTEREST.</b> —All interest paid or accrued within the taxable year on indebtedness.
Taxes paid, etc.	(3) <b>TAXES.</b> —Taxes paid or accrued within the taxable year, except—
Exceptions.	(A) income taxes; (B) estate, inheritance, legacy, succession, and gift taxes; (C) taxes assessed against local benefits of a kind tending to increase the value of the property assessed; but this paragraph shall not exclude the allowance as a deduction of so much of such taxes as is properly allocable to maintenance or interest charges; and (D) taxes paid to any State or Territory on property, business, or occupation the income from which is not taxable under this title;
Losses in trade or business.	(4) <b>LOSSES IN TRADE OR BUSINESS.</b> —Losses sustained during the taxable year and not compensated for by insurance or otherwise, if incurred in trade or business, the income from which is subject to taxation under this title.
Losses in transactions for profit.	(5) <b>LOSSES IN TRANSACTIONS FOR PROFIT.</b> —Losses sustained during the taxable year and not compensated for by insurance or otherwise, if incurred in any transaction entered into for profit would be subject to taxation under this title, though not connected with the trade or business.
Intercompany dividends.	(6) <b>INTERCOMPANY DIVIDENDS.</b> —In the case of a corporation, the amount received as dividends from a corporation which is subject to taxation under this title.
Bad debts.	(7) <b>BAD DEBTS.</b> —Debts ascertained to be worthless and charged off within the taxable year or, in the discretion of the assessor, a reasonable addition to a reserve for bad debts; and when satisfied that a debt is recoverable only in part, the assessor may allow such debt, in an amount not in excess of the part charged off within the taxable year, as a deduction.
Insurance premiums, business property, etc.	(8) <b>INSURANCE PREMIUMS.</b> —All fire-, tornado-, and casualty-insurance premiums paid during the taxable year in connection with property held for investment or business.
Depreciation, etc., of business property.	(9) <b>DEPRECIATION.</b> —A reasonable allowance for exhaustion, wear, and tear of property used in the trade or business, including a reasonable allowance for obsolescence; and including in the case of natural resources allowances for depletion as permitted by reasonable rules and regulations which the Commissioners are hereby authorized to promulgate.
Charitable contributions, etc. <i>Post</i> , p. 1091.	(10) <b>CHARITABLE CONTRIBUTIONS.</b> —Contributions or gifts actually paid within the taxable year to or for the use of any corporation, or trust, or community fund, or foundation, maintaining activities in the District of Columbia and organized and operated exclusively for religious, charitable, scientific, literary, military, or educational purposes, no part of the net income of which inures to the benefit of any private shareholder or individual: <i>Provided</i> , That such deductions shall be allowed only in an amount which in all of the above cases combined does not exceed 15 per centum of the taxpayer's net income as computed without the benefit of this subparagraph.
<i>Proviso.</i> Limitation.	(11) <b>WAGERING LOSSES.</b> —Losses from wagering transactions shall be allowed only to the extent of the gains from such transactions.
Wagering losses.	

(b) **ALLOCATION OF DEDUCTIONS.**—In the case of a taxpayer, other than an individual, the deductions allowed in this section shall be allowed only for and to the extent that they are connected with income arising from sources within the District and taxable under this title to a nonresident taxpayer; and the proper apportionment and allocation of the deductions with respect to sources of income within and without the District shall be determined by processes or formulas of general apportionment under rules and regulations to be prescribed by the Commissioners. The so-called charitable contribution deduction allowed by subparagraph (10) of paragraph (a) of this section shall be allowed whether or not connected with income from sources within the District.

Allocation of deductions.

Charitable contributions.

(c) **CORPORATIONS TO FILE RETURN OF TOTAL INCOME.**—A corporation shall receive the benefits of the deductions allowed to it under this title only by filing or causing to be filed with the assessor a true and accurate return of its total income received from all sources, whether within or without the District.

Corporations to file return of total income.

### GAINS OR LOSSES FROM SALE OF ASSETS

**SEC. 6. (a) GAIN OR LOSS IN CAPITAL ASSETS NOT RECOGNIZED.**—No gain or loss from the sale or exchange of a capital asset shall be recognized in the computation of net income under this title. For the purposes of this title, "capital assets" means property held by the taxpayer for more than two years (whether or not connected with his trade or business) but does not include stock in trade of the taxpayer or other property of a kind which would properly be included in the inventory of a taxpayer if on hand at the close of the taxable year, or property held by the taxpayer primarily for sale to customers in the ordinary course of his trade or business.

Items not recognized.

"Capital assets" defined.

(b) **GAIN OR LOSS IN ASSETS OTHER THAN CAPITAL.**—Gains or losses from the sale or exchange of property other than a capital asset shall be treated in the same manner as other income or deductible losses, and the basis for computing such gain or loss shall be the cost of such property or, if acquired by some means other than purchase, the fair market value thereof at the date of acquisition.

Assets other than capital.

### EXCHANGES

**SEC. 7.** Where property is exchanged for other property, the property received in exchange for the purpose of determining the gain or loss shall be treated as the equivalent of cash to the amount of its fair market value; but when in connection with the reorganization, merger, or consolidation of a corporation a taxpayer receives, in place of stock or securities owned by him, new stock or securities of the reorganized, merged, or consolidated corporation, no gain or loss shall be deemed to occur from the exchange until the new stock or securities are sold or realized upon and the gain or loss is definitely ascertained, until which time the new stock or securities received shall be treated as taking the place of the stock and securities exchanged; provided such reorganization, merger, or consolidation is a "reorganization" within the meaning of the term "reorganization" as defined in section 112 (g) of the Federal Revenue Act of 1936.

Treatment of property received in exchange.

Conditional upon being a "reorganization."  
49 Stat. 1081.  
26 U. S. C., Supp. IV, § 112 (g).

### DEDUCTIONS NOT ALLOWED

**SEC. 8. (a) GENERAL RULE.**—In computing net income no deductions shall be allowed in any case in respect to—

(1) personal, living, or family expenses;

(2) any amount paid out for new buildings or for permanent improvements or betterments, made to increase the value of any property or estate;

Items not deductible.

Personal, etc., expenses.  
Property improvements.

Property restoration, etc.

(3) any amount expended in restoring property or in making good the exhaustion thereof for which an allowance is or has been made; and

Life insurance premiums for employees, etc.

(4) premiums paid on any life-insurance policy covering the life of any officer or employee or of any person financially interested in any trade or business carried on by the taxpayer when the taxpayer is directly or indirectly a beneficiary under such policy.

Holders of life or terminable interest.

(b) **HOLDERS OF LIFE OR TERMINABLE INTEREST.**—Amounts paid under the laws of any State, Territory, District of Columbia, possession of the United States, or foreign country as income to the holder of a life or terminable interest acquired by gift, bequest, or inheritance shall not be reduced or diminished by any deduction for shrinkage (by whatever name called) in the value of such interest due to the lapse of time, nor by any deduction allowed by this Act (except the deductions provided for in subsections (1) and (m) of section 23 of the Federal Revenue Act of 1926 as amended) for the purpose of computing the net income of an estate or trust but not allowed under the laws of such State, Territory, District of Columbia, possession of the United States, or foreign country for the purpose of computing the income to which such holder is entitled.

Exceptions.

#### PERSONAL EXEMPTIONS AND CREDIT FOR DEPENDENTS

Credits.

**SEC. 9. (a) CREDITS.**—There shall be allowed to individuals the following credits against net income:

Personal exemption.

(1) **PERSONAL EXEMPTION.**—In the case of a single person or married person not living with husband or wife, a personal exemption of \$1,000; in the case of the head of a family or a married person living with husband or wife, a personal exemption of \$2,500; a husband and wife living together shall receive but one personal exemption, the amount of such personal exemption shall be \$2,500. If such husband and wife make separate returns the personal exemption may be taken by either or divided between them.

Credit for dependents.

(2) **CREDIT FOR DEPENDENTS.**—\$400 for each person (other than husband or wife) dependent upon and receiving his chief support from the taxpayer if such dependent person is under eighteen years of age or is incapable of self-support because mentally or physically defective.

Change of status.

(b) **CHANGE OF STATUS.**—If the status of the taxpayer, insofar as it affects personal exemption or credit for dependents, changes during the taxable year, the personal exemption and credit shall be apportioned under rules and regulations prescribed by the Commissioners, in accordance with the number of months before and after such change. For the purpose of such apportionment a fractional portion of a month shall be disregarded unless it amounts to more than half a month in which case it shall be considered as a month.

In return for fractional part of year.

(c) **IN RETURN FOR FRACTIONAL PART OF YEAR.**—In the case of a return made for a fractional part of a year, the personal exemption and credit for dependents shall be reduced respectively to amounts which bear the same ratio to the full credits provided as the number of months in the period for which the return is made bears to twelve months.

#### ACCOUNTING PERIODS

Net income computed on basis of annual accounting period.

**SEC. 10.** The net income shall be computed upon the basis of the taxpayer's annual accounting period (fiscal year or calendar year, as the case may be) in accordance with the method of accounting regularly employed in keeping the books of such taxpayer; but if no such

method of accounting has been so employed, or if the method employed does not clearly reflect the income, the computation shall be made in accordance with such method as in the opinion of the assessor does clearly reflect the income. If the taxpayer's annual accounting period is other than a fiscal year as defined in section 43 or if the taxpayer has no annual accounting period or does not keep books, the net income shall be computed on the basis of the calendar year. If the taxpayer makes a Federal income-tax return, his income shall be computed, for the purposes of this title, on the basis of the same calendar or fiscal year as in such Federal income-tax return.

Calendar year, if no other accounting period.  
*Post*, p. 1106.

Computation, if taxpayer makes a Federal income-tax return.

#### PERIOD IN WHICH ITEMS OF GROSS INCOME INCLUDED

SEC. 11. The amount of all items of gross income shall be included in the gross income for the taxable year in which received by the taxpayer unless, under methods of accounting permitted under section 10, any such amounts are to be properly accounted for as of a different period. In the case of the death of a taxpayer there shall be included, in computing net income for the taxable period in which falls the date of his death, amounts accrued up to the date of his death if not otherwise properly includible in respect to such period or a prior period.

Period in which items of gross income included.

In case of death of taxpayer.

#### PERIOD FOR WHICH DEDUCTIONS AND CREDITS TAKEN

SEC. 12. The deductions and credits provided for in this title shall be taken for the taxable year in which "paid or accrued" or "paid or incurred", dependent upon the method of accounting upon the basis of which the net income is computed unless, in order to clearly reflect the income, the deductions or credits should be taken as of a different period. In the case of the death of a taxpayer there shall be allowed as deductions and credits for the taxable period in which falls the date of his death, amounts accrued up to the date of his death if not otherwise properly allowable in respect to such period or a prior period.

For taxable year in which "paid or accrued" or "paid or incurred."

Allowance on death of taxpayer.

#### INSTALLMENT BASIS

SEC. 13. (a) **DEALERS IN PERSONAL PROPERTY.**—Under regulations prescribed by the Commissioners, a person who regularly sells or otherwise disposes of personal property on the installment plan may return as income therefrom in any taxable year that proportion of the installment payments actually received in that year which the gross profit realized or to be realized when payment is completed bears to the total contract price.

Dealers in personal property.

(b) **SALES OF REALTY AND CASUAL SALES OF PERSONALTY.**—In the case of (1) a casual sale or other casual disposition of personal property (other than property of a kind which would properly be included in the inventory of the taxpayer if on hand at the close of the taxable year) for a price exceeding \$1,000, or (2) of a sale or other disposition of real property, if in either case the initial payments do not exceed 30 per centum of the selling price, the income may, under regulations prescribed by the Commissioners, be returned on the basis and in the manner above prescribed in this section. As used in this section the term "initial payments" means the payments received in cash or property other than evidences of indebtedness of the purchaser during the taxable period in which the sale or other disposition is made.

Sales of realty and casual sales of personalty.

"Initial payments" defined.

(c) **CHANGE FROM ACCRUAL TO INSTALLMENT BASIS.**—If a taxpayer entitled to the benefits of subsection (a) elects for any taxable year to report his net income on the installment basis, then in computing his income for the year of change or any subsequent year, amounts actually

Change from accrual to installment basis; computation.

received during any such year on account of sales or other disposition of property made in any prior year shall not be excluded.

Gain or loss upon  
disposition of install-  
ment obligations.

(d) **GAIN OR LOSS UPON DISPOSITION OF INSTALLMENT OBLIGATIONS.**—If an installment obligation is satisfied at other than its face value or distributed, transmitted, sold, or otherwise disposed of, gain or loss shall result to the extent of the difference between the basis of the obligation and (1) in the case of satisfaction at other than face value or a sale or exchange—the amount realized, or (2) in case of a distribution, transmission, or disposition otherwise than by sale or exchange—the fair market value of the obligation at the time of such distribution, transmission, or disposition. Any gain or loss so resulting shall be considered as resulting from the sale or exchange of the property in respect to which the installment obligation was received. The basis of the obligation shall be the excess of the face value of the obligation over an amount equal to the income which would be returnable were the obligation satisfied in full. This paragraph shall not apply to the transmission at death of installment obligations if there is filed with the assessor, at such time as he may by regulation prescribe, a bond in such amount and with such sureties as he may deem necessary, conditioned upon the return as income, by the person receiving any payment in such obligations, of the same proportion of such payment as would be returnable as income by the decedent if he had lived and had received such payment.

Basis.

Transmission at  
death.

#### INVENTORIES

Inventories to deter-  
mine taxpayer's in-  
come; basis.

**SEC. 14.** Whenever in the opinion of the assessor the use of inventories is necessary in order clearly to determine the income of any taxpayer, inventories shall be taken by such taxpayer upon such basis as the assessor may prescribe as conforming as nearly as may be to the best accounting practice in the trade or business and as most clearly reflecting the income.

#### INDIVIDUAL RETURNS

Requirement.

**SEC. 15. (a) REQUIREMENT.**—The following individuals shall each make under oath a return stating specifically the items of his gross income and the deductions and credits allowed under this title and such other information for the purpose of carrying out the provisions of this title as the Commissioners may by regulations prescribe:

Net income \$1,000  
or over, if single, etc.

(1) Every individual having a net income for the taxable year of \$1,000 or over, if single, or if married and not living with husband or wife;

Net income \$2,500  
or over, if married and  
living with husband  
or wife.

(2) Every individual having a net income for the taxable year of \$2,500 or over, if married and living with husband or wife; and

Gross income of  
\$5,000 or over.

(3) Every individual having a gross income for the taxable year of \$5,000 or over, regardless of the amount of his net income.

Husband and wife.

(b) **HUSBAND AND WIFE.**—If a husband and wife living together have an aggregate net income for the taxable year of \$2,500 or over, or an aggregate gross income for such year of \$5,000 or over—

Separate return.

(1) Each shall make a return, or

Joint return.

(2) The income of each shall be included in a single joint return, in which case the tax shall be computed on the aggregate income.

Persons under dis-  
ability.

(c) **PERSONS UNDER DISABILITY.**—If the taxpayer is unable to make his own return, the return shall be made by a duly authorized agent or by the guardian or other person charged with the care of the person or property of such taxpayer.

Fiduciaries.  
Post, p. 1096.

(d) **FIDUCIARIES.**—For returns to be made by fiduciaries, see section 23.

## CORPORATION RETURNS

SEC. 16. Every corporation not expressly exempt from the tax imposed by this title shall make a return and pay a filing fee of \$25 which shall be credited against the tax. Such returns shall state specifically the items of its gross income and the deductions and credits allowed by this title, and such other information for the purpose of carrying out the provisions of this title as the Commissioners may by regulations prescribe. The return shall be sworn to by the president, vice president, or other principal officer, and by the treasurer, assistant treasurer, or chief accounting officer. In cases where receivers, trustees in bankruptcy, or assignees are operating the property or business of corporations, such receivers, trustees, or assignees shall make returns for such corporations in the same manner and form as corporations are required to make returns. Any tax due on the basis of such returns made by receivers, trustees, or assignees shall be collected in the same manner as if collected from the corporations of whose business or property they have custody and control.

Requirement for making.

By receivers, trustees, or assignees.

Collections.

## TAXPAYER TO MAKE RETURN WHETHER RETURN FORM IS SENT OR NOT

SEC. 17. Blank forms of returns for income shall be supplied by the assessor. It shall be the duty of the assessor to obtain an income-tax return from every taxpayer who is liable under the law to file such return; but this duty shall in no manner diminish the obligation of the taxpayer to file a return without being called upon to do so.

Duty of taxpayer to file return.

## TIME AND PLACE FOR FILING RETURNS

SEC. 18. All returns of income for the preceding taxable year shall be made to the assessor on or before the 15th day of March in each year, except that such returns, if made on the basis of a fiscal year, shall be made on or before the 15th day of the third month following the close of such fiscal year, unless such fiscal year has expired in the calendar year 1939 prior to the approval of this Act, in which event returns shall be made on or before the 15th day of the third month following the approval of this Act.

Time and place for filing returns.

## EXTENSION OF TIME FOR FILING RETURNS

SEC. 19. The assessor may grant a reasonable extension of time for filing income returns whenever in his judgment good cause exists and shall keep a record of every such extension. Except in case of a taxpayer who is abroad, no such extension shall be granted for more than six months, and in no case for more than one year. In the event time for filing a return is deferred, the taxpayer is hereby required to pay, as a part of the tax, an amount equal to 6 per centum per annum on the tax ultimately assessed from the time the return was due until it is actually filed in the office of the assessor.

Extension of time.

Limitation.

Interest.

## ALLOCATION OF INCOME AND DEDUCTIONS

SEC. 20. In any of two or more organizations, trades, or businesses (whether or not incorporated, whether or not organized in the District of Columbia, and whether or not affiliated) owned or controlled directly or indirectly by the same interests, the assessor is authorized to distribute, apportion, or allocate gross income or deductions between or among such organizations, trades, or businesses, if he determines that such distribution, apportionment, or allocation is necessary in order to prevent evasion of taxes or clearly to reflect the income of any of such organizations, trades, or businesses. The provisions of this section shall apply, but shall not be limited in application to any

Allocation of income and deductions.

Application of provisions.



case of a common carrier by railroad subject to the Interstate Commerce Act and jointly owned or controlled directly or indirectly by two or more common carriers by railroad subject to said Act.

#### PUBLICITY OF RETURNS

- Secrecy of returns.** SEC. 21. (a) **SECRECY OF RETURNS.**—Except to any official of the District, having a right thereto in his official capacity, it shall be unlawful for any officer or employee of the District to divulge or make known in any manner the amount of income or any particulars set forth or disclosed in any report or return under this title.
- When copies may be furnished.** (b) **WHEN COPIES MAY BE FURNISHED.**—Neither the original nor a copy of the return desired for use in litigations in court shall be furnished where the District of Columbia is not interested in the result whether or not the request is contained in an order of the court: *Provided*, That nothing herein shall be construed to prevent the furnishing to a taxpayer of a copy of his return upon the payment of a fee of \$1.
- Proviso.**  
Taxpayer may have copy of his return.
- Reciprocal exchange of information with States.**  
*Post*, p. 1248.
- (c) **RECIPROCAL EXCHANGE OF INFORMATION WITH STATES.**—Notwithstanding the provisions of this section, the assessor may permit the proper officer of any State imposing an income tax or his authorized representative to inspect income-tax returns, filed with the assessor or may furnish to such officer or representative a copy of any income-tax return provided such State grants substantially similar privileges to the assessor or his representative or to the proper officer of the District charged with the administration of this title.
- Publication of statistics.** (d) **PUBLICATION OF STATISTICS.**—Nothing herein shall be construed to prohibit the publication of statistics so classified as to prevent the identification of particular reports and the items thereof, or of the publication of delinquent lists showing the names of taxpayers who have failed to pay their taxes at the time and in the manner provided by law, together with any relevant information which in the opinion of the assessor may assist in the collection of such delinquent taxes.
- Penalties.** (e) **PENALTIES FOR VIOLATION OF THIS SECTION.**—Any offense against the provisions of this section shall be a misdemeanor and shall be punishable by a fine not exceeding \$1,000 or imprisonment for six months, or both, in the discretion of the court.

#### RETURNS TO BE PRESERVED

- Preservation.** SEC. 22. Reports and returns received by the assessor under the provisions of this title shall be preserved for six years and thereafter until the assessor orders them to be destroyed.

#### FIDUCIARY RETURNS

- Requirement of return.** SEC. 23. (a) **REQUIREMENT OF RETURN.**—Every fiduciary (except a receiver appointed by authority of law in possession of part only of the property of an individual) shall make under oath a return for any of the following individuals, estates, or trusts for which he acts, stating specifically the items of gross income thereof and the deductions and credits allowed under this title and such other information for the purpose of carrying out the provisions of this title as the Commissioners may by regulations prescribe:
- Individual who is single, etc.**  
Net income of \$1,000 or over.
- (1) Every individual having a net income for the taxable year of \$1,000 or over, if single, or if married and not living with husband and wife;
- If married and living with husband or wife.**  
Net income of \$2,500 or over.
- (2) Every individual having a net income for the taxable year of \$2,500 or over, if married and living with husband or wife;
- Gross income of \$5,000 or over.**
- (3) Every individual having a gross income for the taxable year of \$5,000 or over, regardless of the amount of his net income;

(4) Every estate or trust the net income of which for the taxable year is \$1,000 or over;

Estate or trust with net income of \$1,000 or over.

(5) Every estate or trust the gross income of which for the taxable year is \$5,000 or over, regardless of the amount of the net income.

Gross income of \$5,000 or over.

(b) **JOINT FIDUCIARIES.**—Under such regulations as the Commissioners may prescribe, a return by one of two or more joint fiduciaries and filed in the office of the assessor shall be sufficient compliance with the above requirement. Such fiduciary shall make oath (1) that he has sufficient knowledge of the affairs of the individual, estate, or trust for which the return is made, to enable him to make the return, and (2) that the return is, to the best of his knowledge and belief, true and correct.

Joint fiduciaries.

(c) **LAW APPLICABLE TO FIDUCIARIES.**—Any fiduciary required to make a return under this title shall be subject to all the provisions of law which apply to individuals.

Law applicable to fiduciaries.

#### ESTATES AND TRUSTS

**SEC. 24. (a) APPLICATION OF TAX.**—The taxes imposed by this title upon individuals shall apply to the income of estates or of any kind of property held in trust, including—

Application of tax.

(1) income accumulated in trust for the benefit of unborn or unascertained person or persons with contingent interests, and income accumulated or held for future distribution under the terms of the will or trust;

Income accumulated in trust.

(2) income which is to be distributed currently by the fiduciary to the beneficiaries, and income collected by a guardian of an infant which is to be held or distributed as the court may direct;

Income for current distribution.

(3) income received by estates of deceased persons during the period of administration or settlement of the estate; and

Received during estate administration.

(4) income which, in the discretion of the fiduciary, may be either distributed to the beneficiaries or accumulated.

Discretionary distribution, etc.

(b) **COMPUTATION OF TAX.**—The tax shall be computed upon the net income of the estate or trust, and shall be paid by the fiduciary, except as provided in paragraph (e) of this section (relating to revocable trusts) and paragraph (f) of this section (relating to income for benefit of the grantor).

Computation, payment; exception.

(c) **NET INCOME.**—The net income of the estate or trust shall be computed in the same manner and on the same basis as in the case of an individual, except that—

Net income, computation.

(1) there shall be allowed as an additional deduction in computing the net income of the estate or trust the amount of the income of the estate or trust for its taxable year which is to be distributed currently by the fiduciary to the beneficiaries, and the amount of the income collected by a guardian of an infant which is to be held or distributed as the court may direct, but the amount so allowed as a deduction shall be included in computing the net income of the beneficiaries whether distributed to them or not. Any amount allowed as a deduction under this paragraph shall not be allowed as a deduction under subsection (2) of this section in the same or any succeeding taxable year;

Additional deductions for current distributions by fiduciary.

Inclusion in net income of beneficiary.

Limitation.

(2) in the case of income received by estates of deceased persons during the period of administration or settlement of the estate, and in the case of income which, in the discretion of the fiduciary, may be either distributed to the beneficiary or accumulated, there shall be allowed as an additional deduction in computing the net income of the estate or trust the amount of the income of the estate or trust for its taxable year, which is prop-

Payments made or credited to beneficiary.

Inclusion in net income of beneficiary, etc.

Trust set aside for charitable purposes.  
*Ante*, p. 1090.

Different taxable year.

Revocable trusts.

Income for benefit of grantor.

When held for future distribution.

When distributed to grantor.

Application to life insurance premiums.

*Ante*, p. 1090.

"In discretion of grantor" defined.

Income from intangible personal property held by trust.

erly paid or credited during such year to any legatee, heir, or beneficiary, but the amount so allowed as a deduction shall be included in computing the net income of the legatee, heir, or beneficiary;

(3) there shall be allowed as a deduction (in lieu of the deductions for charitable contributions authorized by section 5 (a) (10)) any part of the gross income, without limitation, which pursuant to the terms of the will or deed creating a trust, is during the taxable year paid or permanently set aside for the purposes and in the manner provided in section 5 (a) (10) or is to be used exclusively for the purposes enumerated in section 5 (a) (10).

(d) **DIFFERENT TAXABLE YEAR.**—If the taxable year of a beneficiary is different from that of the estate or trust, the amount which he is required, under subparagraph (1) of paragraph (c) of this section, to include in computing his net income, shall be based upon the income of the estate or trust for any taxable year of the estate or trust ending within or with his taxable year.

(e) **REVOCABLE TRUSTS.**—Where at any time the power to revest in the grantor title to any part of the corpus of the trust is vested—

(1) in the grantor, either alone or in conjunction with any person not having a substantial adverse interest in the disposition of such part of the corpus or the income therefrom; or

(2) in any person not having a substantial adverse interest in the disposition of such part of the corpus or the income therefrom,

then the income of such part of the trust shall be included in computing the net income of the grantor.

(f) **INCOME FOR BENEFIT OF GRANTOR.**—Where any part of the income of a trust—

(1) is, or in the discretion of the grantor or of any person not having a substantial adverse interest in the disposition of such part of the income may be, held or accumulated for future distribution to the grantor; or

(2) may, in the discretion of the grantor or of any person not having a substantial adverse interest in the disposition of such part of the income, be distributed to the grantor; or

(3) is, or in the discretion of the grantor or of any person not having a substantial adverse interest in the disposition of such part of the income may be applied to the payment of premiums upon policies of insurance on the life of the grantor (except policies of insurance irrevocably payable for the purposes and in the manner specified in section 5 (a) (10), relating to the so-called "charitable contribution" deduction);

then such part of the income of the trust shall be included in computing the net income of the grantor.

(g) **DEFINITION OF "IN DISCRETION OF GRANTOR."**—As used in this section, the term "in the discretion of the grantor" means "in the discretion of the grantor, either alone or in conjunction with any person not having a substantial adverse interest in the disposition of the part of the income in question."

(h) **INCOME FROM INTANGIBLE PERSONAL PROPERTY HELD BY TRUST.**—Income from intangible personal property held by any trust company or by any national bank situated in the District (with or without an individual trustee, resident or nonresident) in trust to pay the income for the time being to, or to accumulate or apply such income for the

benefit of any nonresident of the District, shall not be taxable hereunder if—

- (1) such beneficial owner or cestui que trust was at the time of the creation of the trust a nonresident of the District; and
- (2) the testator, settlor, or grantor was also at the time of the creation of the trust a nonresident of the District.

#### PARTNERSHIPS

SEC. 25. (a) PARTNERS ONLY TAXABLE.—Individuals carrying on business in partnership shall be liable for income tax only in their individual capacity, and no income tax shall be assessable hereunder upon the net income of any partnership. All such income shall be assessable to the individual partners; it shall be reported by such partners as individuals upon their respective individual income returns; and it shall be taxed to them as individuals along with their other income at the rate and in the manner herein provided for the taxation of income received by individuals. There shall be included in computing the net income of each partner his distributive share, whether distributed or not, of the net income of the partnership for the taxable year; or if his net income for such taxable year is computed upon the basis of a period different from that upon the basis of which the net income of the partnership is computed, then his distributive share of the net income of the partnership for any accounting period of the partnership ending within the taxable year upon the basis of which the partner's net income is computed.

Partners only taxable.

Distributive share included in net income.

Different taxable year.

(b) PARTNERSHIP RETURN.—Every partnership shall make a return for each taxable year stating specifically the items of its gross income and the deductions allowed by this title, and shall include in the return the names and the addresses of the individuals who would be entitled to share in the net income if distributed, and the amount of the distributive share of each individual. The return shall be sworn to by any one of the partners.

Partnership return.

Sworn statement required.

#### PAYMENT OF TAX

SEC. 26. (a) TIME OF PAYMENT.—The total amount of tax imposed by this title shall be paid on the 15th day of March following the close of the calendar year, or, if the return should be made on the basis of a fiscal year, then on the 15th day of the third month following the close of the fiscal year, except a fiscal year which expired in the calendar year 1939 prior to the approval of this Act, in which event the tax shall be paid on the 15th day of the third month following the approval of this Act.

Time of payment.

(b) EXTENSION OF TIME FOR PAYMENTS.—At the request of the taxpayer the assessor may extend the time for payment by the taxpayer of the amount determined as the tax, for a period not to exceed six months from the date prescribed for the payment of the tax or an installment thereof. In such case the amount in respect to which the extension is granted shall be paid on or before the date of the expiration of the period of the extension.

Time extensions.

(c) VOLUNTARY ADVANCE PAYMENT.—A tax imposed by this title, or any installment thereof, may be paid, at the election of the taxpayer, prior to the date prescribed for its payment.

Voluntary advance payment.

(d) FRACTIONAL PART OF CENT.—In the payment of any tax under this title a fractional part of a cent shall be disregarded unless it amounts to one-half cent or more, in which case it shall be increased to 1 cent.

Fractional part of cent.

Payment to collector and receipts.

(e) **PAYMENT TO COLLECTOR AND RECEIPTS.**—The tax provided under this title shall be collected by the collector and the revenues derived therefrom shall be turned over to the Treasury of the United States for the credit to the District in the same manner as other revenues are turned over to the United States Treasury for the credit to the District. The collector shall, upon written request, give to the person making payment of any income tax a full written or printed receipt therefor.

#### TAX A PERSONAL DEBT

Tax a personal debt; priority, collection, etc.

SEC. 27. Every tax imposed by this title, and all increases, interest, and penalties thereof, shall become, from the time it is due and payable, a personal debt, from the person or persons liable to pay the same to the District, and shall be entitled to the same priority as other District taxes, and the taxes levied hereunder and the interest and penalties thereon shall be collected by the collector of taxes in the manner provided by law for the collection of taxes due the District on personal property in force at the time of such collection.

#### INFORMATION FROM THE BUREAU OF INTERNAL REVENUE

Information from Federal Bureau of Internal Revenue.

SEC. 28. The Bureau of Internal Revenue of the Treasury Department of the United States is authorized and required to supply such information as may be requested by the Commissioners relative to any person subject to the taxes imposed by this title.

#### ASSESSOR TO ADMINISTER

Duties of assessor.

SEC. 29. (a) **DUTIES OF ASSESSOR.**—The assessor is hereby required to administer the provisions of this title. The assessor shall prescribe forms identical with those utilized by the Federal Government, except to the extent required by differences between this title and its application and the Federal Act and its application. He shall apply as far as practicable the administrative and judicial interpretations of the Federal income-tax law so that computations of income for purposes of this title shall be, as nearly as practicable, identical with the calculations required for Federal income-tax purposes. As soon as practicable after the return is filed the assessor shall examine it and shall determine the correct amount of the tax.

Statements and special returns.

(b) **STATEMENTS AND SPECIAL RETURNS.**—Every taxpayer liable to any tax imposed by this title shall keep such records, render under oath such statements, make such returns, and comply with such rules and regulations as the Commissioners from time to time may prescribe. Whenever the assessor judges it necessary he may require any taxpayer, by notice served upon him, to make a return, render under oath such statements, or keep such records as he deems sufficient to show whether or not such taxpayer is liable to tax under this title and the extent of such liability.

Examination of books and witnesses.

(c) **EXAMINATION OF BOOKS AND WITNESSES.**—The assessor, for the purpose of ascertaining the correctness of any return filed hereunder, or for the purpose of making an estimate of the taxable income of any taxpayer, is authorized to examine any books, papers, records, or memoranda of any person bearing upon the matters required to be included in the return and may summon any person to appear and produce books, records, papers, or memoranda bearing upon the matters required to be included in the return, and to give testimony or answer interrogatories under oath respecting the same, and the assessor shall have power to administer oaths to such person or persons. Such summons may be served by any members of the Metropolitan Police Department. If any person having been personally

Production of records, etc.

Summons, testimony, etc.

summoned shall neglect or refuse to obey the summons issued as herein provided, then, and in that event, the assessor may report that fact to the District Court of the United States for the District of Columbia, or one of the justices thereof, and said court or any justice thereof hereby is empowered to compel obedience to such summons to the same extent as witnesses may be compelled to obey the subpoenas of that court. Any person in custody or control of any books, papers, records, or memoranda bearing upon the matters required to be included in such returns, who shall refuse to permit the examination by the assessor or any person designated by him of any such books, papers, records, or memoranda, or who shall obstruct or hinder the assessor or any person designated by him in the examination of any books, papers, records, or memoranda, shall upon conviction thereof be fined not more than \$300. All prosecutions under this section shall be brought in the police court of the District of Columbia on information by the corporation counsel of the District of Columbia in the name of the District of Columbia.

(d) **RETURN BY ASSESSOR.**—If any person fails to make and file a return at the time prescribed by law or by regulations made under authority of law, or makes, willfully or otherwise, a false or fraudulent return, the assessor shall make the return from his own knowledge and from such information as he can obtain through testimony or otherwise. Any return so made and subscribed by the assessor shall be prima facie good and sufficient for all legal purposes.

#### ASSESSMENT AND COLLECTION OF DEFICIENCIES

**SEC. 30. DEFINITION OF "DEFICIENCY."**—As used in this title in respect of a tax imposed by this title "deficiency" means—

(1) the amount by which the tax imposed by this title exceeds the amount shown as the tax by the taxpayer upon his return; but the amount so shown on the return shall first be increased by the amounts previously assessed (or collected without assessment) as a deficiency, and decreased by the amounts previously abated, credited, refunded, or otherwise repaid in respect of such tax; or

(2) if no amount is shown as the tax by the taxpayer upon his return, or if no return is made by the taxpayer, then the amount by which the tax exceeds the amounts previously assessed (or collected without assessment) as a deficiency; but such amounts previously assessed, or collected without assessment, shall first be decreased by the amounts previously abated, credited, refunded, or otherwise repaid in respect of such tax.

#### DETERMINATION AND ASSESSMENT OF DEFICIENCY

**SEC. 31.** If a deficiency in tax is determined by the assessor, the taxpayer shall be notified thereof and given a period of not less than thirty days, after such notice is sent by registered mail, in which to file a protest and show cause or reason why the deficiency should not be paid. Opportunity for hearing shall be granted by the assessor, and a final decision thereon shall be made as quickly as practicable. Any deficiency in tax then determined to be due shall be assessed and paid, together with any addition to the tax applicable thereto, within ten days after notice and demand by the collector. The taxpayer may appeal from such assessment to the Board of Tax Appeals for the District of Columbia in the same manner and to the same extent as set forth in sections 3, 4, 7, 8, 9, 10, 11, and 12 of title IX of an Act to amend the District of Columbia Revenue Act of 1937, and for other purposes, approved May 16, 1938.

Enforcement of orders.

Jurisdiction.

Return by assessor.

"Deficiency" defined.

Notice to taxpayer.

Opportunity for hearing allowed.

Appeal to Board of Tax Appeals, D. C.  
52 Stat. 371, 374, 375.

## JEOPARDY ASSESSMENT

Authority for making.

SEC. 32. (a) **AUTHORITY FOR MAKING.**—If the assessor believes that the collection of any tax imposed by this title will be jeopardized by delay, he shall, whether or not the time otherwise prescribed by law for making return and paying such tax has expired, immediately assess such tax (together with all interest and penalties, the assessment of which is provided for by law). Such tax, penalties, and interest shall thereupon become immediately due and payable, and immediate notice and demand shall be made by the collector for the payment thereof. Upon failure or refusal to pay such tax, penalty, and interest, collection thereof by distraint shall be lawful.

Collection by distraint.

Bond to stay collection.

(b) **BOND TO STAY COLLECTION.**—The collection of the whole or any part of the amount of such assessment may be stayed by filing with the collector a bond in such amount, not exceeding double the amount as to which the stay is desired, and with such sureties as the collector deems necessary, conditioned upon the payment of the amount, the collection of which is stayed, at the time at which, but for this section, such amount would be due.

Conditions.

## PERIOD OF LIMITATION UPON ASSESSMENT AND COLLECTION

General rule.

SEC. 33. (a) **GENERAL RULE.**—Except as provided in paragraph (b) of this section—

Assessment within two years.

(1) The amount of income taxes imposed by this title shall be assessed within two years after the return is filed, and no proceeding in court without assessment for the collection of such taxes shall be begun after the expiration of such period.

Request for prompt assessment.

(2) In the case of income received during the lifetime of a decedent, or by his estate during the period of administration, or by a corporation, the tax shall be assessed, and any proceeding in court without assessment for the collection of such tax shall be begun, within twelve months after written request therefor (filed after the return is made) by the executor, administrator, or other fiduciary representing the estate of such decedent, or by the corporation, but not after the expiration of two years after the return is filed. This subparagraph shall not apply in the case of a corporation unless—

Corporations.

Dissolution contemplated.

(A) such written request notifies the assessor that the corporation contemplates dissolution at or before the expiration of such twelve-month period; and

Dissolution begun before expiration of 12-month period.

(B) the dissolution is in good faith begun before the expiration of such twelve-month period; and

Dissolution completed.

(C) the dissolution is completed.

Omission of amount in excess of 25 per centum of gross income.

(3) If the taxpayer omits from gross income an amount properly includible therein which is in excess of 25 per centum of the amount of gross income stated in the return, the tax may be assessed, or a proceeding in court for the collection of such tax may be begun without assessment, at any time within five years after the return was filed.

Time return considered filed.

(4) For the purposes of subparagraphs (1), (2), and (3), a return filed before the last day prescribed by law for the filing thereof shall be considered as filed on such last day.

False return or no return; assessment.

(b) **FALSE RETURN.**—In the case of a false or fraudulent return with intent to evade tax or of a failure to file a return, the tax may be assessed, or a proceeding in court for the collection of such tax may be begun without assessment, at any time.

Waiver.

(c) **WAIVER.**—Where before the expiration of the time prescribed in paragraph (a) for the assessment of the tax, both the assessor and the taxpayer have consented in writing to its assessment after such time, the tax may be assessed at any time prior to the expiration of

the period agreed upon. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon.

(d) **COLLECTION AFTER ASSESSMENT.**—Where the assessment of any income tax imposed by this title has been made within the period of limitation properly applicable thereto, such tax may be collected by distraint or by a proceeding in court, but only if begun (A) within three years after the assessment of the tax or (B) prior to the expiration of any period for collection agreed upon in writing by the assessor and the taxpayer before the expiration of such three-year period. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon.

#### REFUNDS

**SEC. 34.** Except as otherwise provided in section 31 of this title, where there has been an overpayment of any tax imposed by this title, the amount of such overpayment shall be refunded to the taxpayer. No such refund shall be allowed after two years from the time the tax is paid unless before the expiration of such period a claim therefor is filed by the taxpayer. The amount of the refund shall not exceed the portion of the tax paid during the two years immediately preceding the filing of the claim, or, if no claim was filed, then during the two years immediately preceding the allowance of the refund. Every claim for refund must be in writing, under oath; must state the specific grounds upon which the claim is founded, and must be filed with the assessor. If the assessor disallows any part of a claim for refund, he shall send to the taxpayer by registered mail a notice of the part of the claim so disallowed. Within ninety days after the mailing of such notice, the taxpayer may file an appeal with the Board of Tax Appeals for the District of Columbia, in the same manner and to the same extent as set forth in sections 3, 4, 7, 8, 9, 10, 11, and 12 of title IX of an Act to amend the District of Columbia Revenue Act of 1937, and for other purposes, approved May 16, 1938. The remedy provided to the taxpayer under this section shall not be deemed to take away from the taxpayer any remedy which he might have under any other provision of law; but no suit by the taxpayer for the recovery of any part of such tax shall be instituted in any court if the taxpayer has elected to file an appeal in accordance with this section.

#### CLOSING AGREEMENTS

**SEC. 35.** The assessor is authorized to enter into an agreement with any person relating to the liability of such person (or of the person or estate for whom he acts) in respect of any income tax for any period ending prior to the date of the agreement. If such agreement is approved by the Commissioners within such time as may be stated in such agreement, or later agreed to, such agreement shall be final and conclusive and except upon a showing of fraud or malfeasance, or misrepresentation of a material fact—the case shall not be reopened as to the matters agreed upon or the agreement modified; and in any suit or proceeding relating to the tax liability of the taxpayer such agreement shall not be annulled, modified, set aside, or disregarded.

#### COMPROMISES

**SEC. 36. (a) AUTHORITY TO MAKE.**—Whenever in the opinion of the Commissioners there shall arise with respect of any tax imposed under this title any doubt as to the liability of the taxpayer or the collectibility of the tax for any reason whatsoever the Commissioners may compromise such tax.

Time extension.

Collection after assessment.

By distraint, etc.; time limit.

Extension.

Overpayments.

Time limitations.

Limit on amount of refund.

Filing of claims.

Appeal to Board of Tax Appeals, D. C.

52 Stat. 371, 374, 375.

Remedies under other provisions of law.

Closing agreements.

Authority to make.



Concealment of assets.

(b) **CONCEALMENT OF ASSETS.**—Any person who, in connection with any compromise under this section or offer of such compromise or in connection with any closing agreement under this title or offer to enter into any such agreement, willfully (1) conceals from any officer or employee of the District of Columbia any property belonging to the estate of the taxpayer or other person liable with respect of the tax, or (2) receives, destroys, mutilates, or falsifies any book, document, or record or makes under oath any false statement relating to the estate or the financial condition of the taxpayer or to the person liable in respect of the tax, shall, upon conviction thereof, be fined not more than \$5,000 or imprisoned for not more than one year, or both.

Of penalties.

(c) **OF PENALTIES.**—The Commissioners shall have the power for cause shown to compromise any penalty arising under this title.

#### FAILURE TO FILE RETURN

Failure to file return; penalty.

**SEC. 37.** In case of any failure to make and file a return required by this title, within the time prescribed by law or prescribed by the Commissioners in pursuance of law, 25 per centum of the tax shall be added to the tax, except that when a return is filed after such time and it is shown that the failure to file it was due to reasonable cause and not due to willful neglect, no such addition shall be made to the tax. The amount so added to any tax shall be collected at the same time and in the same manner and as a part of the tax unless the tax has been paid before the discovery of the neglect, in which case the amount so added shall be collected in the same manner as the tax.

#### INTEREST ON DEFICIENCIES

Interest on deficiencies.

**SEC. 38.** Interest upon the amount determined as a deficiency shall be assessed at the same time as the deficiency, shall be paid upon notice and demand from the collector, and shall be collected as a part of the tax, at the rate of 1 per centum per month from the date prescribed for the payment of the tax (or, if the tax is paid in installments, from the date prescribed for the payment of the first installment) to the date the deficiency is assessed.

#### ADDITIONS TO THE TAX IN CASE OF DEFICIENCY

If due to negligence.

**SEC. 39. (a) NEGLIGENCE.**—If any part of any deficiency is due to negligence, or intentional disregard of rules and regulations but without intent to defraud, 5 per centum of the total amount of the deficiency (in addition to such deficiency) shall be assessed, collected, and paid in the same manner as if it were a deficiency.

Fraud.

(b) **FRAUD.**—If any part of any deficiency is due to fraud with intent to evade tax, then 50 per centum of the total amount of the deficiency (in addition to such deficiency) shall be so assessed, collected, and paid.

#### ADDITIONS TO THE TAX IN CASE OF NONPAYMENT

Tax shown on return.  
General rule.

**SEC. 40. (a) TAX SHOWN ON RETURN.**—

(1) **GENERAL RULE.**—Where the amount determined by the taxpayer as the tax imposed by this title, or any installment thereof, or any part of such amount or installment, is not paid on or before the date prescribed for its payment, there shall be collected as a part of the tax, interest upon such unpaid amount at the rate of 1 per centum a month from the date prescribed for its payment until it is paid.

Interest.

If extension granted.

(2) **IF EXTENSION GRANTED.**—Where an extension of time for payment of the amount so determined as the tax by the taxpayer,

or any installment thereof, has been granted, and the amount the time for payment of which has been extended, and the interest thereon determined under section 41 is not paid in full prior to the expiration of the period of the extension, then, in lieu of the interest provided for in subparagraph (1) of this paragraph, interest at the rate of 1 per centum a month shall be collected on such unpaid amount from the date of the expiration of the period of the extension until it is paid.

Interest.

(b) **DEFICIENCY.**—Where a deficiency, or any interest or additional amounts assessed in connection therewith under section 38, or under section 39, or any addition to the tax in case of delinquency provided for in section 37 is not paid in full within ten days from the date of notice and demand from the collector, there shall be collected, as part of the tax, interest upon the unpaid amount at the rate of 1 per centum a month from the date of such notice and demand until it is paid.

Deficiency.

(c) **FIDUCIARIES.**—For any period an estate is held by a fiduciary appointed by order of any court of competent jurisdiction or by will, there shall be collected interest at the rate of 1 per centum per month in lieu of the interest provided in subparagraphs (a) and (b) of this section.

Fiduciaries.

#### TIME EXTENDED FOR PAYMENT OF TAX SHOWN ON RETURN

**SEC. 41.** If the time for payment of the amount determined as the tax by the taxpayer, or any installment thereof, is extended under the authority of section 26 (c), there shall be collected, as a part of such amount, interest thereon at the rate of 1 per centum per month from the date when such payment should have been made if no extension had been granted, until the expiration of the period of the extension.

Extension provisions.

*Ante*, p. 1099.  
Interest.

#### PENALTIES

**SEC. 42. (a) NEGLIGENCE.**—Any person required under this title to pay or collect any tax, or required by law or regulations made under authority thereof to make a return, keep any records, or supply information, who fails to pay or collect such tax, to make such return, to keep such records, or supply such information, at the time or times required by law or regulations shall, upon conviction thereof (in addition to other penalties provided by law), be fined not more than \$300 for each and every such failure, and each and every day that such failure continues shall constitute a separate and distinct offense. All prosecutions under this paragraph shall be brought in the police court of the District of Columbia on information by the corporation counsel or his assistants in the name of the District of Columbia.

Negligence.

(b) **WILLFUL VIOLATION.**—Any person required under this title to pay or collect any tax, or required by law or regulations made under authority thereof to make a return, keep any records, or supply any information, for the purposes of this title, who willfully refuses to pay or collect such tax, to make such returns, to keep such records, or to supply such information, or who willfully attempts in any manner to defeat or evade the tax imposed by this title, shall, in addition to other penalties provided by law, be guilty of a misdemeanor and shall be fined not more than \$10,000 or imprisoned for not more than one year, or both, together with costs of prosecution.

Willful violation.

(c) **DEFINITION OF "PERSON."**—The term "person" as used in this section includes an officer or employee of a corporation, or a member or employee of a partnership, who as such officer, employee, or member is under duty to perform the act in respect to which the violation occurs.

"Person" defined.

## DEFINITIONS

Definitions.	SEC. 43. For the purpose of this title and unless otherwise required by the context—
"Person."	(1) The word "person" means an individual, a trust or estate, a partnership, or a corporation.
"Taxpayer."	(2) The word "taxpayer" means any person subject to a tax imposed by this title.
"Partnership."	(3) The word "partnership" includes a syndicate, group, pool, joint adventure, or other unincorporated organization, through or by means of which any business, financial operation, or venture is carried on, and which is not, within the meaning of this title, a trust or estate or a corporation; and the word "partner" includes a member in such a syndicate, group, pool, joint adventure, or organization.
"Partner."	(4) The word "corporation" includes associations, joint-stock companies, and insurance companies.
"Corporation."	(5) The word "domestic" when applied to a corporation other than an association, means created under the law of United States applicable to the District of Columbia; and when applied to an association or partnership means having the principal office or place of business within the District of Columbia.
"Domestic."	(6) The word "foreign" when applied to a corporation or partnership means a corporation or partnership which is not domestic.
"Foreign."	(7) The word "fiduciary" means a guardian, trustee, executor, administrator, receiver, conservator, or any person acting in any fiduciary capacity for any person.
"Fiduciary."	(8) The word "individual" means all natural persons, whether married or unmarried; and also all trusts, estates, and fiduciaries acting for other persons; it does not include corporations or partnerships acting for or in their own behalf.
"Individual."	(9) The words "taxable year" mean the calendar year or the fiscal year ending during such calendar year upon the basis of which the net income is computed under this title. The term "taxable year" includes, in the case of a return made for a fractional part of a year under the provisions of this title, the period for which such return is made.
"Taxable year."	(10) The words "fiscal year" mean an accounting period of twelve months and ending on the last day of any month other than December.
"Fiscal year."	(11) The words "paid or incurred" and "paid or accrued" shall be construed according to the method of accounting upon the basis of which the net income is computed under this title.
"Paid or incurred"; "paid or accrued."	(12) The words "trade or business" include the engaging in or carrying on of any trade, business, profession, vocation or calling, or commercial activity in the District of Columbia; and include the performance of the functions of a public office.
"Trade or business."	(13) The word "stock" includes a share in an association, joint-stock company, or insurance company.
"Stock."	(14) The word "shareholder" includes a member in an association, joint-stock company, or insurance company.
"Shareholder."	(15) The words "United States" when used in a geographical sense include only the States, the Territories of Alaska and Hawaii, and the District of Columbia.
"United States."	(16) The word "dividend" means any distribution made by a corporation out of its earnings or profits to its stockholders or members whether such distribution be made in cash, or any other property, other than stock of the same class in the corporation. It includes such portion of the assets of a corporation distributed at the time of dissolution as are in effect a distribution of earnings.
"Dividend."	

(17) The word "include", when used in a definition contained in this title, shall not be deemed to exclude other things otherwise within the meaning of the term defined.

"Include."

(18) The word "Commissioners" means the Commissioners of the District of Columbia or their duly authorized representative or representatives.

"Commissioners."

(19) The word "District" means the District of Columbia.

"District."

(20) The word "assessor" means the assessor of the District of Columbia.

"Assessor."

(21) The word "collector" means the collector of taxes of the District of Columbia.

"Collector."

### TITLE III—FEES AND FINES

On and after July 1, 1939, there shall be credited to the District of Columbia that proportion of the fees and fines collected by the District Court of the United States for the District of Columbia, including fees and fines collected by the offices of the clerk of that court and of the United States marshal for the District of Columbia, as the amount paid by the District of Columbia toward salaries and expenses of such court and of the offices of the United States district attorney for the District of Columbia and of the United States marshal for the District of Columbia bears to the total amount of such salaries and expenses; and such proportion of the fees and fines, if any, collected by the United States Court of Appeals for the District of Columbia, including fees and fines, if any, collected by the office of the clerk of that court, as the amount paid by the District of Columbia toward the salaries and expenses of such court bears to the total amount of such salaries and expenses.

Proportion credited to the District.

### TITLE IV—AMENDMENTS TO AND REPEAL OF PRIOR ACTS

#### INTANGIBLE PERSONAL PROPERTY

SEC. 1. The tax on intangible personal property imposed by any law relating to the District shall not apply with respect to any year subsequent to the fiscal year ending June 30, 1939.

Intangible personal property.

#### TAX ON CERTAIN UTILITIES

SEC. 2. (a) Paragraph 5 of section 6 of the Act entitled "An Act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June thirtieth, nineteen hundred and three, and for other purposes," approved July 1, 1902, is hereby amended to read as follows:

Tax on certain utilities.

32 Stat. 619.

"PAR. 5. Each national bank as the trustee for its stockholders, through its president or cashier, and all other incorporated banks and trust companies in the District of Columbia, through their presidents or cashiers, and all gas, electric lighting, and telephone companies, through their proper officers, shall make affidavit to the board of personal-tax appraisers on or before the 1st day of August each year as to the amount of its or their gross earnings or gross receipts, as the case may be, for the preceding year ending the 30th day of June, and each national bank and all other incorporated banks and trust companies respectively shall pay to the collector of taxes of the District of Columbia per annum 6 per centum on such gross earnings and each gas company, electric lighting company, and telephone company shall pay to the collector of taxes of the District of Columbia per annum 4 per centum on such gross receipts, from the sale of public utility commodities and services within the District of

Incorporated banks and trust companies.

Gas, electric lighting, and telephone companies.

Statement of gross earnings or receipts; tax.

Real estate.

*Proviso.*  
Street-railroad and insurance companies.

*Ante*, p. 1087.

Legislation repealed.

26 Stat. 625.

Exemptions.

Taxes, fiscal years preceding 1940.

32 Stat. 619.

Corporate excess tax, provisions inoperative.

32 Stat. 619.

Columbia. And in addition thereto the real estate owned by each national or other incorporated bank, and each trust, gas, electric-lighting, and telephone company in the District of Columbia shall be taxed as other real estate in said District: *Provided*, That street-railroad companies shall pay 3 per centum per annum on their gross receipts and other taxes as provided by existing law, and insurance companies shall continue to pay the 2 per centum on premium receipts as provided by existing law. Each gas, electric-lighting, telephone and street railroad company shall pay, in addition to the tax herein mentioned, the corporate income tax imposed by title II of the District of Columbia Revenue Act of 1939, and the personal property tax on merchandise stock in trade. So much of the Act approved October 1, 1890, entitled 'An Act to provide for the incorporation of trust, loan, mortgage, and certain other corporations within the District of Columbia' as is inconsistent with the provisions of this section is hereby repealed."

(b) This section shall not apply to gross earnings or gross receipts for any fiscal year ending the 30th day of June prior to the fiscal year ending June 30, 1940. Taxes shall be levied and collected for the fiscal years preceding the fiscal year ending June 30, 1940, under said paragraph 5 of section 6 of said Act of July 1, 1902, as if this title had not been enacted.

(c) Section 6 of the Act of July 1, 1902, (c. 1352, 32 Stat. 619), is amended by striking out paragraph 8, so that the corporate excess tax therein provided shall become inoperative.

#### TAX ON REAL PROPERTY

Tax on real property.

50 Stat. 692; 52 Stat. 369.

SEC. 3. Title VII of the District of Columbia Revenue Act of 1937, as amended, is amended to read as follows: "For the fiscal year ending June 30, 1940, the rate of taxation imposed on real and tangible personal property in the District of Columbia shall be 1.75 per centum of the assessed value of such property."

#### TAXABLE STATUS OF MOTOR VEHICLES AS TANGIBLE PERSONAL PROPERTY

Taxable status of motor vehicles as tangible personal property.

*Proviso.*  
Registration for first time between designated dates.

SEC. 4. Notwithstanding any other provision of law, the tangible personal-property tax on motor vehicles, except when consisting of stock in trade of merchants, shall be prorated according to the number of months such property has a situs within the District; and all such motor vehicles shall be assessed at their value as of April 1 each year: *Provided, however*, That where a motor vehicle shall be registered in the District of Columbia for the first time on a date between April 1 of one year and April 1 of the succeeding year, such motor vehicle shall be assessed, for taxation for the period ending with the succeeding April 1, at its value as of date of application for such first registration.

#### TAX APPEALS

Board of Tax Appeals.

52 Stat. 371.

*Post*, p. 1307.

Salary.

Effective date.

52 Stat. 371.

Appeal from assessment.

SEC. 5. (a) The first sentence of the second paragraph of section 2 of title IX of the District of Columbia Revenue Act of 1937, as amended by the Act approved May 16, 1938, is amended to read as follows: "The salary of such person so appointed shall be \$8,000 per annum." This amendment shall be effective on and after July 1, 1939.

(b) Section 3 of title IX of the District of Columbia Revenue Act of 1937, as amended, is amended as follows:

"SEC. 3. Any person aggrieved by any assessment by the District against him of any personal-property, inheritance, estate, business-

privilege, gross-receipts, gross-earnings, insurance-premiums, or motor-vehicle-fuel tax or taxes, or penalties thereon, may, within ninety days after notice of such assessment, appeal from such assessment to the Board, provided such person shall first pay such tax, together with penalties and interest due thereon, to the collector of taxes of the District of Columbia under protest in writing. The mailing to the taxpayer of a statement of taxes due shall be considered notice of assessment with respect of such taxes. The Board shall hear and determine all questions arising on said appeal and shall make separate findings of fact and conclusions of law, and shall render its decision thereon in writing. The Board may affirm, cancel, reduce, or increase such assessment."

(b) Subsections (a), (b), and (c) of section 5 of title IX of the District of Columbia Revenue Act of 1937, as amended, are amended to read as follows:

"(a) The assessor and deputy assessor of the District and the board of all of the assistant assessors, with the assessor as chairman, shall compose a Board of Equalization and Review, and as such Board of Equalization and Review they shall convene in a room to be provided for them by the Commissioners, on the first Monday of January of each year, and shall remain in session until the first Monday in April of each year, after which date no complaint as to valuation as herein provided shall be received or considered by such Board of Equalization and Review. Public notice of the time and place of such session shall be given by publication for two successive days in two daily newspapers in the District not more than two weeks or less than ten days before the beginning of said session. It shall be the duty of said Board of Equalization and Review to fairly and impartially equalize the value of real property made by the board of assistant assessors as the basis for assessment. Any five of said Board of Equalization and Review shall constitute a quorum for business, and, in the absence of the Assessor, a temporary chairman may be selected. They shall immediately proceed to equalize the valuations made by the board of assistant assessors so that each lot and tract and improvements thereon shall be entered upon the tax list at their value in money; and for this purpose they shall hear such complaints as may be made in respect of said assessments, and in determining them they may raise the valuation of such tracts or lots as in their opinion may have been returned below their value and reduce the valuation of such as they may believe to have been returned above their value to such sum as in their opinion may be the value thereof. The valuation of the real property made and equalized as aforesaid shall be completed not later than the first Monday of May annually. The valuation of said real property made and equalized as aforesaid shall be approved by the Commissioners not later than July 1 annually, and when approved by the Commissioners shall constitute the basis of taxation for the next succeeding year and until another valuation is made according to law, except as hereinafter provided. Any person aggrieved by any assessment, equalization, or valuation made, may, within ninety days after October 1 of the year in which such assessment, equalization, or valuation is made, appeal from such assessment, equalization, or valuation in the same manner and to the same extent as provided in sections 3 and 4 of this title: *Provided, however,* That such person shall have first made his complaint to the Board of Equalization and Review respecting such assessment as herein provided.

"(b) Annually, on or prior to July 1 of each year, the board of assistant assessors shall make a list of all real estate which shall have become subject to taxation and which is not then on the tax list, and

Payment of tax, etc.,  
under protest.

Hearings, findings,  
etc.

Powers enumerated.

52 Stat. 372.

Board of Equaliza-  
tion and Review;  
composition, meet-  
ings, etc.

Public notice of ses-  
sions.

Duty of Board to  
equalize value as basis  
for assessment.

Quorum, etc.

Hearings of com-  
plaints.

Completion of val-  
uation.

Approval; use as  
basis for taxation for  
succeeding year.

Appeal from assess-  
ment, equalization, or  
valuation.

*Proviso.*  
Conditional upon  
first making com-  
plaint.

Annual listing of  
taxable real estate not  
then on tax list.

New structures erected or roofed. Old structures, additions or improvements.

Reduction for damage or destruction of improvements.

*Provisos.*  
Time for hearing of complaints.

Appeal from assessment or valuation.

Conditional upon first making complaint.

New buildings erected or roofed prior to January 1 of each year.

Added to current year.  
Reduction for damage, etc., to improvements prior to January 1.

Hearing of complaints.

Appeal from assessment.

*Proviso.*  
Conditional upon first making complaint.

§2 Stat. 370.

Reference of certain taxation matters to Board.

Board's findings, etc.; advisory only.

Tangible personal property stored in transit.

affix a value thereon, according to the rules prescribed by law for assessing real estate; shall make return of all new structures erected or roofed, and additions to or improvements of old structures which shall not have been theretofore assessed, specifying the tract or lot of land on which each of such structures has been erected, and the value of such structure, and they shall add such valuation to the assessment made on such tract or lot. When the improvements on any lot or tract of land shall become damaged or be destroyed from any cause, the said board of assistant assessors shall reduce the assessment on said property to the extent of such damage: *Provided*, That the Board of Equalization and Review shall hear such complaints as may be made in respect of said assessments between September 1 and September 30 and determine the same not later than October 15 of the same year. Any person aggrieved by any assessment or valuation made in pursuance of this paragraph may, within ninety days after October 15 of the year in which said valuation or assessment is made, appeal from such assessment or valuation in the same manner and to the same extent as provided in sections 3 and 4 of this title: *Provided, however*, That such person shall have first made his complaint to the Board of Equalization and Review respecting such assessment as herein provided.

“(c) In addition to the annual assessment of all real estate made on or prior to July 1 of each year there shall be added a list of all new buildings erected or under roof prior to January 1 of each year, in the same manner as provided by law for all annual additions; and the amounts thereof shall be added as assessment for the second half of the then current year payable in the month of March. When the improvements on any lot or tract of land shall become damaged or be destroyed from any cause prior to January 1 of each year the said board of assistant assessors shall reduce the assessment on said property to the extent of said damage for the second half of the then current year payable in the month of March. The Board of Equalization and Review shall hear such complaints as may be made in respect of said assessments for the second half of said year between March 1 and March 31 and determine said complaints not later than April 15 of the same year. Any person aggrieved by any assessment made in pursuance of this paragraph may, within ninety days after April 15 of the year in which such assessment is made, appeal from such assessment in the same manner and to the same extent as provided in sections 3 and 4 of this title: *Provided, however*, That such person shall have first made his complaint to the Board of Equalization and Review respecting such assessment as herein provided.”

(c) Title IX of the District of Columbia Revenue Act of 1937, as amended, is amended by adding thereto a new section reading as follows:

“SEC. 13. In any matter affecting taxation, the determination of which is by law left to the discretion of the Commissioners, the Commissioners may, if they so elect, refer such matter to the Board to make findings of fact and submit recommendations, such findings of fact and recommendations, if any, to be advisory only and not binding on the Commissioners, and shall be without prejudice to the Commissioners to make such further and other inquiry and investigation concerning such matter as they in their discretion shall consider necessary or advisable.”

#### TANGIBLE PERSONAL PROPERTY STORED IN TRANSIT

SEC. 6. Nothing in this Act contained, nor shall any prior Act of Congress relating to the District of Columbia be deemed to impose upon any person, firm, association, company, or corporation a tax

based upon tangible personal property owned and stored by such person in a public warehouse in the District of Columbia for a period of time no longer than is necessary for the convenience or exigencies of reshipment and transportation to its destination without the District of Columbia.

## TITLE V—INHERITANCE AND ESTATE TAXES

Title V of the District of Columbia Revenue Act of 1937, as amended by an Act entitled "An Act to amend the District of Columbia Revenue Act of 1937, and for other purposes", approved May 16, 1938, is amended to read as follows:

50 Stat. 683; 52  
Stat. 360.

"Taxes shall be imposed in relation to estates of decedents, the shares of beneficiaries of such estates, and gifts as hereinafter provided:

### "ARTICLE I—INHERITANCE TAX

"SEC. 1. (a) All real property and tangible and intangible personal property, or any interest therein, having its taxable situs in the District of Columbia, transferred from any person who may die seized or possessed thereof, either by will or by law, or by right of survivorship, and all such property, or interest therein, transferred by deed, grant, bargain, gift, or sale (except in cases of a bona fide purchase for full consideration in money or money's worth), made or intended to take effect in possession or enjoyment after the death of the decedent, or made in contemplation of death, to or for the use of, in trust or otherwise (including property of which the decedent has retained for his life or for any period not ascertainable without reference to his death or for any period which does not in fact end before his death (1) the possession or enjoyment of, or the right to the income from such property or (2) the right, either alone or in conjunction with any person, to designate the persons who shall possess or enjoy the property or the income therefrom), to the father, mother, husband, wife, children by blood or legally adopted children, or any other lineal descendants or lineal ancestors of the decedent, shall be subject to a tax as follows: 1 per centum of so much of said property as is in excess of \$5,000 and not in excess of \$50,000; 2 per centum of so much of said property as is in excess of \$50,000 and not in excess of \$100,000; 3 per centum of so much of said property as is in excess of \$100,000 and not in excess of \$500,000; 4 per centum of so much of said property as is in excess of \$500,000 and not in excess of \$1,000,000; 5 per centum of so much of said property as is in excess of \$1,000,000.

Inheritance tax.

Transfer to lineal  
descendants or ances-  
tors.

Rates.

"(b) So much of said property so transferred to each of the brothers and sisters of the whole or half blood of the decedent shall be subject to a tax as follows: 3 per centum of so much of said property as is in excess of \$2,000 and not in excess of \$25,000; 4 per centum of so much of said property as is in excess of \$25,000 and not in excess of \$50,000; 6 per centum of so much of said property as is in excess of \$50,000 and not in excess of \$100,000; 8 per centum of so much of said property as is in excess of \$100,000 and not in excess of \$500,000; 10 per centum of so much of said property as is in excess of \$500,000.

Transfers to broth-  
ers, etc.

Rates.

"(c) So much of said property so transferred to any person other than those included in paragraphs (a) and (b) of this section and all firms, institutions, associations, and corporations shall be subject to a tax as follows: 5 per centum of so much of said property as is in excess of \$1,000 and not in excess of \$25,000; 7 per centum of so much of said property as is in excess of \$25,000 and not in excess of \$50,000; 9 per centum of so much of said property as is in excess of \$50,000 and not in excess of \$100,000; 12 per centum of so much of said property as is in excess of \$100,000 and not in excess of \$500,000;

Transfers not in-  
cluded in first two  
classes.



Discharge from liability for payment.

Property transferred exclusively for public, etc., purposes.

Beneficiary dying within six months after testator's death and before possession, etc.

Application of article.

Transfers within two years prior to death.

Consolidation of property and interests.

General power of appointment.

Doctrine of equitable conversion not invoked.

Tax based on market value; appraisal.

15 per centum of so much of said property as is in excess of \$500,000.

"(d) Executors, administrators, trustees, and other persons making distribution shall only be discharged from liability for the amount of such tax, with the payment of which they are charged, by paying the same as hereinafter described.

"(e) Property transferred exclusively for public or municipal purposes, to the United States or the District of Columbia, or exclusively for charitable, educational, or religious purposes within the District of Columbia, shall be exempt from any and all taxation under the provisions of this section.

"(f) Where any beneficiary has died or may hereafter die within six months after the death of the decedent and before coming into the possession and enjoyment of any property passing to him, and before selling, assigning, transferring, or in any manner contracting with respect to his interest in such property, such property shall be taxed only once, and if the tax on the property so passing to said beneficiary has not been paid, then the tax shall be assessed on the property received from such share by each beneficiary thereof, finally entitled to the possession and enjoyment thereof, as if he had been the original beneficiary, and the exemptions and rates of taxation shall be governed by the respective relationship of each of the ultimate beneficiaries to the first decedent.

"(g) The provisions of article I of this title shall apply to property in the estate of every person who shall die after this title becomes effective.

"(h) The transfer of any property, or interest therein, within 2 years prior to death, shall, unless shown to the contrary, be deemed to have been made in contemplation of death.

"(i) All property and interest therein which shall pass from a decedent to the same beneficiary by one or more of the methods specified in this section, and all beneficial interests which shall accrue in the manner herein provided to such beneficiary on account of the death of such decedent, shall be united and treated as a single interest for the purpose of determining the tax hereunder.

"(j) Whenever any person shall exercise a general power of appointment derived from any disposition of property, made either before or after the passage of this title, such appointment, when made, shall be deemed a transfer taxable, under the provisions of this title, in the same manner as though the property to which such appointment relates belonged absolutely to the donee of such power; and whenever any person possessing such power of appointment so derived shall omit or fail to exercise the same, within the time provided therefor, in whole or in part, a transfer taxable under the provisions of this title shall be deemed to take place to the extent of such omissions or failure in the same manner as though the person or persons thereby becoming entitled to the possession or enjoyment of the property to which such power related had succeeded thereto by the will of the donee of the power failing to exercise such power, taking effect at the time of such omission or failure.

"(k) The doctrine of equitable conversion shall not be invoked in the assessment of taxes under this article.

"SEC. 2. The tax provided in section 1 shall be paid on the market value of the property or interest therein at the time of the death of the decedent as appraised by the assessor, or, in the discretion of the assessor, upon the value as appraised by the probate court of the District. The taxable portion of real or personal property held jointly or by the entireties shall be determined by dividing the value of the entire property by the number of persons in whose joint names it was held.

"SEC. 3. The appraisal thus made shall be deemed and taken to be the true value of the said property or interest therein upon which the said tax shall be paid, and the amount of said tax and the tax imposed by article II of this title shall be a lien on said property or interest therein for the period of ten years from the date of death of the decedent: *Provided, however,* That such lien shall not attach to any personal property sold or disposed of for value by an administrator, executor, or collector, of the estate of such decedent appointed by the District Court of the United States for the District of Columbia or by a trustee appointed under a will filed with the register of wills for the District or by order of said court, or his successor approved by said court, but a lien for said taxes shall attach on all property acquired in substitution therefor for a period of ten years after the acquisition of such substituted property: *And provided further,* That such lien upon such substituted property shall, upon sale by such personal representatives, be extinguished and shall reattach in the manner as provided with respect of such original property.

"SEC. 4. The personal representative of every decedent, the gross value of whose estate is in excess of \$1,000, shall, within fifteen months after the death of the decedent, report under oath to the assessor, on forms provided for that purpose an itemized schedule of all the property (real, personal, and mixed) of the decedent, the market value thereof at the time of the death of the decedent, the name or names of the persons to receive the same and the actual value of the property that each will receive, the relationship of such persons to the decedent, and the age of any persons who receive a life interest in the property, and any other information which the assessor may require. Said personal representative shall, within eighteen months of the date of the death of the decedent and before distribution of the estate, pay to the collector of taxes the taxes imposed by section 1 upon the distributive shares and legacies in his hands and the tax imposed by section 1 hereof against each distributive share or legacy shall be charged against such distributive share or legacy unless the will shall otherwise direct.

"SEC. 5. The personal representative of the decedent shall collect from each beneficiary entitled to a distributive share or legacy the tax imposed upon such distributive share or legacy in section 1 hereof, and if the said beneficiary shall neglect or fail to pay the same within fifteen months after the date of the death of the decedent such personal representative shall, upon the order of the District Court of the United States for the District of Columbia, sell for cash so much of said distributive share or legacy as may be necessary to pay said tax and all the expenses of said sale.

"SEC. 6. Every person entitled to receive property taxable under section 1 hereof, which property is not under the control of a personal representative, and is over \$1,000 in value, shall, within six months after the death of the decedent, report under oath to the assessor, on forms provided for that purpose, an itemized schedule of all property (real, personal, and mixed) received or to be received by such person; the market value of the same at the time of the death of the decedent and the relationship of such person to the decedent; and any other information which the assessor may require. The tax on the transfer of any such property shall be paid by such person to the collector of taxes within nine months after the date of the death of the decedent: *Provided, however,* That with respect to real estate passing by will or inheritance such report shall be made within fifteen months after the death of the decedent, and the tax on the transfer thereof shall be paid within eighteen months after the date of the death of the decedent.

Appraisal deemed true value.

Tax a lien on property.

*Provisos.*  
Exemptions.

Lien on substituted property.

Reattachment to original property.

Report by decedent's personal representative.

Contents.

Payment of taxes.

Collection of distributive share.

Property not under control of personal representative; report.

Payment of tax.

*Proviso.*  
Real estate passing by will, etc.; report.

Life interest or for term of years; payment of tax.

Value of future interest.

Vested future interest; tax payment.

Where future interest is contingent.

Optional payment.

*Proviso.*  
Bond.

Tax upon transfer to be a lien.

Tax upon transfer of a contingent future interest, payment.

"SEC. 7. In the case of any grant, deed, devise, descent, or bequest of a life interest or term of years, the donee for life or years shall pay a tax only on the value of his interest, determined in a manner as the Commissioners by regulation may prescribe, and the donee of the future interest shall pay a tax only on his interest as based upon the value thereof at the time of the death of the decedent creating such interest. The value of any future interest shall be determined by deducting from the market value of such property at the time of the death of such decedent the value of the precedent life interest or term of years. Where the future interest is vested the donee thereof shall pay the tax within the time in which the tax upon the precedent life interest or term of years is required to be paid under the provisions of sections 4 and 6 of this article, as the case may be. Where the future interest is contingent the personal representative of such decedent or the persons interested in such contingent future estate shall have the option of (1) paying, within the time herein provided for the payment of taxes due upon vested future interests, a tax equal to the mean between the highest possible tax and the lowest possible tax which could be imposed under any contingency or condition whereby such contingent future interest might be wholly or in part created, defeated, extended, or abridged; or (2) paying the tax upon such transfer at the time when such future interest shall become vested at rates and with exemptions in force at the time of the death of the decedent: *Provided*, That the personal representative or trustee of the estate of the decedent or the persons interested in the future contingent interest shall deposit with the assessor a bond in the penal sum of an amount equal to twice the tax payable under option (1) hereof. Such bonds shall be payable to the District and shall be conditioned for the payment of such tax when and as the same shall become due and payable. The tax upon the transfer of future interests or remainders shall be a lien upon the property or interest transferred from the date of the death of the decedent creating the interests and shall remain in force and effect until ten years after the date when such remainder or future interest shall become vested in the donee thereof. If the tax upon the transfer of a contingent future interest is paid before the same shall become vested, such tax shall be paid by the personal representative out of the corpus of the estate of the decedent, otherwise by the person or persons entitled to receive the same.

#### "ARTICLE II—ESTATE TAXES

Estate taxes.

44 Stat. 69.  
26 U. S. C. § 410.

Credits.

44 Stat. 70.  
26 U. S. C. § 411;  
Supp. IV, § 411.  
*Proviso.*  
Limitation.

Tax limitations.

"SEC. 1. In addition to the taxes imposed by article I, there is hereby imposed upon the transfer of the estate of every decedent who, after this title becomes effective, shall die a resident of the District, a tax equal to 80 per centum of the Federal estate tax imposed by subdivision (a) of section 301, title III, of the Revenue Act of 1926, as amended, or as hereafter amended or reenacted.

"SEC. 2. There shall be credited against and applied in reduction of the tax imposed by section 1 of this article the amount of any estate, inheritance, legacy, or succession tax lawfully imposed by any State or Territory of the United States, in respect of any property included in the gross estate for Federal estate-tax purposes as prescribed in title III of the Revenue Act of 1926, as amended, or as hereafter amended or reenacted: *Provided, however*, That only such taxes as are actually paid and credit therefor claimed and allowed against the Federal estate tax may be applied as a credit against and in reduction of the tax imposed by section 1.

"SEC. 3. In no event shall the tax imposed by section 1 of this article exceed the difference between the maximum credit which

might be allowed against the Federal estate tax imposed by title III of the Revenue Act of 1926, as amended, or as hereafter amended or reenacted, and the aggregate amount of the taxes described in section 2 of this article (but not including the tax imposed by section 1) allowable as a credit against the Federal estate tax.

"SEC. 4. The purpose of section 1 of this article is to secure for the District the benefit of the credit allowed under the provisions of section 301 (c) of title III of the Revenue Act of 1926, as amended, or as hereafter amended or reenacted, to the extent that the District may be entitled by the provisions of said Revenue Act, by imposing additional taxes, and the same shall be liberally construed to effect such purpose: *Provided*, That the amount of the tax imposed by section 1 of this article shall not be decreased by any failure to secure the allowance of credit against the Federal estate tax.

"SEC. 5. A tax is hereby imposed upon the transfer of real property or tangible personal property in the District of every person who at the time of death was a resident of the United States but not a resident of the District, and upon the transfer of all property, both real and personal, within the District of every person who at the time of death was not a resident of the United States, the amount of which shall be a sum equal to such proportion of the amount by which the credit allowable under the applicable Federal revenue Act for estate, inheritance, legacy, and succession taxes actually paid to the several States exceeds the amount actually so paid for such taxes, exclusive of estate taxes based upon the difference between such credit and other estate taxes and inheritance, legacy, and succession taxes, as the value of the property in the District bears to the value of the entire estate, subject to estate tax under the applicable Federal revenue Act.

"SEC. 6. Every executor or administrator of the estate of a decedent dying a resident of the District or of a nonresident decedent owning real estate or tangible personal property situated in the District, or of an alien decedent owning any real estate, tangible or intangible personal property situated in the District, or, if there is no executor or administrator appointed, qualified, and acting, then any person in actual or constructive possession of any property forming a part of an estate subject to estate tax under this title shall, within sixteen months after the death of the decedent file with the assessor a copy of the return required by section 304 of the Revenue Act of 1926, verified by the affidavit of the person filing said return with the assessor, and shall, within thirty days after the date of any communication from the Commissioner of Internal Revenue, confirming, increasing, or diminishing the tax shown to be due, file a copy of such communication with the assessor. With the copy of the Federal estate-tax return there shall be filed an affidavit as to the several amounts paid or expected to be paid as taxes within the purview of section 2 of this article: *Provided, however*, That in any case where the time for the filing of such return as required by section 304 of the Revenue Act of 1926 is extended without penalty by the Bureau of Internal Revenue, then the copy thereof verified as aforesaid may be filed with the assessor within thirty days after the expiration of said extended period.

"SEC. 7. The assessor shall, upon receipt of the return and accompanying affidavit, assess such amount as he may determine, from the basis of the return, to be due the District. Upon receipt of a copy of any communication from the Commissioner of Internal Revenue, herein required to be filed, the assessor shall make such additional assessment or shall make such abatement of the assessment as may appear proper.

44 Stat. 69.  
26 U. S. C. ch. 3;  
Supp. IV, ch. 3.

Credits allowed under designated Federal revenue laws.  
47 Stat. 278.  
26 U. S. C. § 413 (b).

*Proviso.*  
Restriction.

Nonresidents, tax on property transfers.

Amount.

Filing of returns of resident or nonresident decedents, etc.

Filing copy of Federal estate tax return.  
44 Stat. 74.  
26 U. S. C. §§ 420, 421, 464; Supp. IV, § 421.

Affidavit required.

*Proviso.*  
Time extension.

Adjustment of amount due.

Time limitation for payment.

*Proviso.*  
Extension; interest.  
44 Stat. 69.  
26 U. S. C. § 410.

Payment of additional assessment.

"SEC. 8. The estate taxes imposed by this article shall be paid to the collector of taxes within seventeen months after the death of the decedent: *Provided, however,* That in any case where the time for the payment of taxes imposed by subdivision (a) of section 301, title III, of the Revenue Act of 1926, is extended by the Bureau of Internal Revenue, then the tax imposed by this article shall be paid within sixty days after the expiration of such extended period, together with interest as provided in section 4 of article IV of this title: *Provided further,* That any additional assessment found to be due under section 7 of this article shall be paid to the collector of taxes within thirty days after the determination of such additional assessment by the assessor.

#### "ARTICLE III—GENERAL

Bond of personal representative of decedent; liability.

*Proviso.*  
Limitation.

Register of wills.  
Report by, to assessor.

Enforcement of title.

Determination of taxes assessable.

Evidence.

Summons.

Collection of delinquent payments.

*Proviso.*  
Time extension.

"SEC. 1. The bond of the personal representative of the decedent shall be liable for all taxes and penalties assessed under this title, except inheritance taxes and penalties imposed in relation to the transfer of property not under the control of such personal representative: *Provided,* That in no case shall the bond of the personal representative be liable for a greater sum than is actually received by him.

"SEC. 2. The register of wills of the District shall report to the assessor on forms provided for the purpose every qualification in the District upon the estate of a decedent. Such report shall be filed with the assessor at least once every month, and shall contain the name of the decedent, the date of his death, the name and address of the personal representative, and the value of the estate, as shown by the petition for administration or probate.

"SEC. 3. The Commissioners shall have supervision of the enforcement of this title and shall have the power to make such rules and regulations, consistent with its provisions, as may be necessary for its enforcement and efficient administration and to provide for the granting of extension of time within which to perform the duties imposed by this title. The assessor shall determine all taxes assessable under this title and immediately upon the determination of same, shall forward a statement of the taxes determined to the person or persons chargeable with the payment thereof and shall give advice thereof to the collector of taxes. The assessor is hereby authorized and empowered to summon any person before him to give testimony on oath or affirmation or to produce all books, records, papers, documents, or other legal evidence as to any matter relating to this title, and the assessor is authorized to administer oaths and to take testimony for the purposes of the administration of this title. Such summons may be served by any member of the Metropolitan Police Department. If any person having been personally summoned shall neglect or refuse to obey the summons issued as herein provided, then and in that event the assessor may report that fact to the District Court of the United States for the District of Columbia or one of the justices thereof, and said court or any justice thereof hereby is empowered to compel obedience to said summons to the same extent as witnesses may be compelled to obey the subpoenas of that court.

"SEC. 4. If the taxes imposed by this title are not paid when due, 1 per centum interest for each month or portion of a month from the date when the same were due until paid shall be added to the amount of said taxes and collected as a part of the same, and said taxes shall be collected by the collector of taxes in the manner provided by the law for the collection of taxes due the District on personal property in force at the time of such collection: *Provided, however,* That where the time for payment of the tax imposed by this title is extended

by the assessor or where the payment of the tax is lawfully suspended under the regulations for the administration of this title, interest shall be paid at the rate of 6 per centum per annum from the date on which the tax would otherwise be payable.

"SEC. 5. If any person shall fail to perform any duty imposed upon him by the provisions of this title or the regulations made hereunder the Commissioners may proceed by petition for mandamus to compel performance and upon the granting of such writ the court shall adjudge all costs of such proceeding against the delinquent.

Enforcement proceedings.

"SEC. 6. Any person required by this title to file a return who fails to file such return within the time prescribed by this title, or within such additional time as may be granted under regulations promulgated by the Commissioners, shall become liable in his own person and estate to the District in an amount equal to 10 per centum of the tax found to be due. In case any person required by this title to file a return knowingly files a false or fraudulent return, he shall become liable in his own person and estate to the said District in an amount equal to 50 per centum of the tax found to be due. Such amounts shall be collected in the same manner as is herein provided for the collection of the taxes levied under this title.

Personal liability for failure to file return, etc.

False or fraudulent return.

"SEC. 7. Any person required by this title to pay a tax or required by law or regulation made under authority thereof to make a return or keep any records or supply any information for the purposes of computation, assessment, or collection of any tax imposed by this title, who willfully fails to pay such tax, make any such return, or supply any such information at the time or times required by law or regulation shall, in addition to other penalties provided by law, be guilty of a misdemeanor and upon conviction thereof be fined not more than \$1,000 or imprisoned for not more than one year, or both.

Additional penalties.

"SEC. 8. When the assessor is satisfied that the tax liability imposed by this title has been fully discharged or provided for, he may, under regulations prescribed by the Commissioners, issue his certificate, releasing any or all property from the lien herein imposed.

Certificate of discharge.

"SEC. 9. No person holding, within the District, tangible or intangible assets of any resident or nonresident decedent, of the value of \$300 or more, shall deliver or transfer the same or any part thereof to any person other than an executor, administrator, or collector of the estate of such decedent appointed by the District Court of the United States for the District of Columbia, unless notice of the date and place of such intended transfer be served upon the assessor of the District of Columbia at least ten days prior to such delivery or transfer, nor shall any person holding, within the District of Columbia, any assets of a resident or nonresident decedent, of the value of \$300 or more, deliver or transfer the same or any part thereof to any person other than an executor, administrator, or collector of the estate of such decedent appointed by said District Court without retaining a sufficient portion or amount thereof to pay any tax which may be assessed on account of the transfer of such assets under the provisions of articles I and II without an order from the assessor of the District of Columbia authorizing such transfer. It shall be lawful for the assessor of the District, personally, or by his representatives, to examine said assets at any time before such delivery or transfer. Failure to serve such notice or to allow such examination or to retain as herein required a sufficient portion or amount to pay the taxes imposed by this title shall render such person liable to the payment of such taxes. The assessor of the District may issue a certificate authorizing the transfer of any such assets whenever it appears to the satisfaction of said assessor that no tax is due thereon: *Provided, however,* That any corporation, foreign or domestic to the District having outstanding stock or other securities registered in the sole

Delivery of property of decedent, restriction.

Retention of portion to pay tax.

Examination allowed.

Penalty provisions.

Issuance of certificate of transfer.

Provisions. Transfer of stocks or other securities.

Delivery of contents of safe-deposit box standing in joint names.	name of a decedent whose estate or any part thereof is taxable under this title, may transfer the same, without notice to the assessor and without liability for any tax imposed thereon under this title, upon the order of an administrator, executor, or collector of the estate of such decedent appointed by the District Court of the United States for the District of Columbia, or by a trustee appointed under a will filed with the register of wills of the District, or appointed by said court, or his successor approved by said court: <i>Provided further</i> , That the lessor of a safe-deposit box standing in the joint names of a decedent and a survivor or survivors may deliver the entire contents of such safe-deposit box to the survivor or survivors, after examination of such contents by the assessor or his representative, without any liability on the part of the said lessor for the payment of such tax.
Bureau of Internal Revenue to furnish information on request.	"SEC. 10. The Bureau of Internal Revenue of the Treasury Department of the United States is authorized and required to supply such information as may be requested by the Commissioners relative to any person subject to the taxes imposed under this title or relative to any person whose estate is subject to the provisions of this title.
Determination of tax, if return not filed.	"SEC. 11. If any return required by this title is not filed with the assessor when due, the assessor shall have the right to determine and assess the tax or taxes from such information as he may possess or obtain.
Compromise provisions.	"SEC. 12. The assessor is authorized to enter into an agreement with any person liable for a tax on a transfer under article I of this title, in which remainders or expectant estates are of such nature or so disposed and circumstanced that the value of the interest is not ascertainable under the provisions of this title, and to compound and settle such tax upon such terms as the assessor may deem equitable and expedient.
Terms construed. "Tax."	"SEC. 13. In the interpretation of this title unless the context indicates a different meaning the term 'tax' means the tax or taxes mentioned in this title.
"District."	"(a) The term 'District' means the District of Columbia.
"Commissioners."	"(b) The term 'Commissioners' means the Commissioners of the District of Columbia, or their duly authorized representative or representatives.
"Assessor."	"(c) The term 'assessor' means the assessor of the District of Columbia or his duly authorized representative or representatives.
"Collector of taxes."	"(d) The term 'collector of taxes' means the collector of taxes for the District of Columbia, or his duly authorized representative or representatives.
"Metropolitan Police Department."	"(e) The term 'Metropolitan Police Department' means the Metropolitan Police Department of the District of Columbia.
"Include."	"(f) The term 'include' when used in a definition contained in this title, shall not be deemed to exclude other things otherwise within the meaning of the term defined.
"Resident."	"(g) The term 'resident' means domiciled and the term 'residence' means domicile.
Effective date of title.	"SEC. 14. The provisions of this title shall become effective at 12:01 antemeridian, the day immediately following its approval."
Advances from Treasury.	<b>TITLE VI—ADVANCEMENT OF MONEY BY TREASURY</b> Until and including June 30, 1940, the Secretary of the Treasury, notwithstanding the provisions of the District of Columbia Appropriation Act, approved June 29, 1922, is authorized and directed to advance, on the requisition of the Commissioners of the District of Columbia, made in the manner now prescribed by law, out of any money in the Treasury of the United States not otherwise appropriated, such sums as may be necessary from time to time to meet

the general expenses of said District as authorized by Congress, and such amounts so advanced shall be reimbursed by the said Commissioners to the Treasury out of taxes and revenue collected for the support of the government of the said District of Columbia.

Reimbursement.

## TITLE VII—EXTENSION OF CERTAIN TAX PROVISIONS

The laws authorizing the imposition by the District of Columbia of intangible personal property taxes and business privilege taxes are hereby extended from and after June 30, 1939, for the following purposes in connection with the taxes accrued or due under such laws prior to July 1, 1939—

Extension of certain tax provisions.

(1) For the imposition of assessments and penalties, civil and criminal, for the violation of or failure to comply with such laws and the regulations issued thereunder;

(2) For requiring the making, filing, and submission of returns and reports required by such laws;

(3) For the examination of all books, records, and other documents, and witnesses; and

(4) For the assessment and collection of such taxes, and the filing of liens therefor.

## TITLE VIII—GENERAL PROVISIONS

### SEPARABILITY CLAUSE

SEC. 1. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Separability clause.

### RULES AND REGULATIONS

SEC. 2. The Commissioners shall prescribe and publish all needful rules and regulations for the enforcement of this Act.

Rules and regulations.

Approved, July 26, 1939.

[CHAPTER 368]

### AN ACT

To provide a right-of-way.

July 26, 1939  
[S. 504]  
[Public, No. 226]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of War be, and he is hereby, authorized and empowered, under such terms and conditions as are deemed advisable by him, to grant to the Stanolind Pipe Line Company, its successors and/or assigns, an easement for a right-of-way for an oil pipe line over, across, in, and upon the Ellington Field Military Reservation, in the State of Texas: Provided, That such right-of-way shall be granted only upon a finding by the Secretary of War that the same will be in the public interest and will not substantially injure the interest of the United States in the property affected thereby: Provided further, That all or any part of such right-of-way may be annulled and forfeited by the Secretary of War if the property is needed for governmental purposes or for failure to comply with the terms or conditions of any grant hereunder, or for nonuse or for abandonment of rights granted under authority hereof: And provided further, That all moneys which may accrue to the United States under the provisions of this Act shall be deposited in the Treasury as miscellaneous receipts.*

Ellington Field Military Reservation, Tex.  
Stanolind Pipe Line Co., right-of-way upon, for oil pipe line, authorized.

Provisos.  
Condition.

Reversionary provision.

Deposit of receipts.

Approved, July 26, 1939.



## [CHAPTER 369]

## AN ACT

July 26, 1939

[H. R. 2967]

[Public, No. 227]

To grant to the State of California a retrocession of jurisdiction over certain rights-of-way granted to the State of California over a certain road about to be constructed in the Presidio of San Francisco Military Reservation.

Presidio of San Francisco Military Reservation, Calif.  
Jurisdiction over certain rights-of-way, retroceded to State.

Terms and conditions.  
Description of grant.

Revestment upon Federal control.

Reversion for non-use.

Acceptance by State Legislature.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby granted to the State of California a retrocession of jurisdiction over the rights-of-way covered by a certain grant from the Secretary of War to the State of California dated July 27, 1938, to extend, maintain, and operate a State road, known as the Funston Avenue approach, across the Presidio of San Francisco Military Reservation, as heretofore or hereafter amended by the Secretary of War, subject to all of the terms and conditions contained in said permit as so granted and any amendments thereof as aforesaid. The land and premises over which such retrocession of jurisdiction is hereby granted shall be the whole of the rights-of-way so granted in said permit and any amendments thereof throughout their entire length and width and for the entire distance granted therein.

SEC. 2. Should the United States assume exclusive control and management of said road as provided in said permit and any amendments thereof, the jurisdiction herein retroceded shall be suspended and revert in the United States for the duration of such control and management. Whenever the State of California shall cease to occupy said rights-of-way and land for the purpose authorized in said permit and any amendments thereof, then the same, including all jurisdiction thereover, shall revert to the United States.

SEC. 3. The retrocession of jurisdiction herein granted shall not become effective until the same is accepted by the Legislature of the State of California.

Approved, July 26, 1939.

## [CHAPTER 370]

## AN ACT

July 26, 1939

[H. R. 5036]

[Public, No. 228]

Authorizing the State highway departments of North Dakota and Minnesota and the counties of Grand Forks of North Dakota and Polk of Minnesota, to construct, maintain, and operate a free highway bridge across the Red River near Thompson, North Dakota, and Crookston, Minnesota.

Red River.  
Bridge authorized across, Thompson, N. Dak. to Crookston, Minn.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the State highway departments of North Dakota and Minnesota and the counties of Grand Forks of North Dakota and Polk of Minnesota, be, and are hereby, authorized to construct, maintain and operate a free highway bridge and approaches thereto across the Red River, at a point suitable to the interests of navigation, at or near Thompson, North Dakota, and Crookston, Minnesota, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

34 Stat. 84.  
33 U. S. C. §§ 491-498.

Acquisition of real estate, etc.

SEC. 2. There is hereby conferred upon the State highway departments of North Dakota and Minnesota and the counties of Grand Forks of North Dakota and Polk of Minnesota, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, operation, and maintenance of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the States in which real

estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such States, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such States.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, July 26, 1939.

Amendment.

[CHAPTER 371]

AN ACT

To amend the Act approved June 25, 1910, authorizing establishment of the Postal Savings System.

July 26, 1939  
[H. R. 5064]  
[Public, No. 229]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 6 of the Act approved June 25, 1910, entitled "An Act to establish postal savings depositories for depositing savings at interest with the security of the Government for repayment thereof, and for other purposes", as amended (U. S. C., title 39, sec. 756), is amended to read as follows:

Postal Savings System.

"At least \$1, or a larger amount in multiples thereof, must be deposited before an account is opened with the person depositing the same, and \$1, or multiples thereof, may be deposited after such account has been opened, but the balance to the credit of any one person, upon which interest is payable, shall not exceed \$2,500, exclusive of accumulated interest, and non-interest-paying deposits shall not be accepted.

36 Stat. 815.  
39 U. S. C. § 756.

Minimum amount of deposit before account opened; thereafter.

Maximum amount.

"In order that smaller amounts may be accumulated for deposit any person may purchase from any postal-savings depository specially prepared adhesive stamps to be known as 'postal-savings stamps' and attach them to a card which shall be furnished for that purpose. A card with postal-savings stamps affixed shall be accepted as a deposit of equivalent value in sums of \$1 or multiples thereof either in opening an account or in adding to an existing account or may be redeemed in cash. It is hereby made the duty of the Postmaster General to prepare such postal-savings cards and postal-savings stamps of such denominations as he may prescribe and to keep them on sale at every postal-savings depository office and at such other offices as he may designate and to make all necessary rules and regulations for the issue, sale, and cancelation thereof."

Special adhesive stamps and cards for smaller amounts.

Preparation and sale.

Approved, July 26, 1939.

[CHAPTER 372]

AN ACT

To extend the times for commencing and completing the construction of a bridge over Lake Sabine at or near Port Arthur, Texas, to amend the Act of June 18, 1934 (48 Stat. 1008), and for other purposes.

July 26, 1939  
[H. R. 5525]  
[Public, No. 230]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the times for commencing and completing the construction of a bridge over Lake Sabine at or near Port Arthur, Texas, authorized to be built by the city of Port Arthur, Texas, or the Port Arthur Bridge Commission and its successors, by an Act of Congress approved June 18, 1934 (48 Stat. 1008), and heretofore amended and extended by Acts of Congress, approved April 10, 1936, August 12, 1937, and June 14, 1938, are hereby further extended one and three years, respectively, from August 12, 1939.

Lake Sabine.  
Time extended for bridging, at Port Arthur, Tex.

48 Stat. 1008; 49 Stat. 1196; 50 Stat. 630; 52 Stat. 680.

48 Stat. 1009.

Maintenance as free  
bridge after amortiza-  
tion provided."Port Arthur Bridge  
Commission," crea-  
tion, powers, etc.Designated person-  
nel of Commission.Members to qualify  
within 30 days; va-  
cancies, etc.Organization, pow-  
ers, etc.

Members' bonds.

Term of office.

No salary; expense  
allowance.

48 Stat. 1012.

Conditional owner-  
ship, maintenance,  
etc., by Commission,  
as free bridge until  
acceptance by State  
interests.

SEC. 2. The said Act approved June 18, 1934 (48 Stat. 1008), as heretofore amended and extended, is further amended as follows:

(a) The second sentence of section 4 of said Act is amended to read, "After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls."

(b) Section 5 of said Act is amended to read as follows:

"SEC. 5. There is hereby created a body corporate and politic to be known as the 'Port Arthur Bridge Commission' which shall have and possess all powers necessary, convenient, or proper for carrying into effect the objects stated in this Act, as amended."

(c) Section 6 of said Act is amended to read as follows:

"SEC. 6. The Commission shall consist of Fred L. Bachert, Frank J. Imhoff, Henry J. LeBlanc, C. W. Loeb, B. T. McWhorter, Junior, Benson Vincent, and W. E. Holbrook.

"Each member of the Commission shall qualify within thirty days after the approval of this amendatory Act by filing in the office of the Federal Works Administrator an oath that he will faithfully perform the duties imposed upon him by this Act, as amended, and each person hereafter appointed to fill a vacancy shall qualify in like manner within thirty days after his appointment. Any vacancy occurring in said Commission by reason of failure to qualify as above provided, or by reason of death, expiration of term, or resignation, shall be filled by the Federal Works Administrator. The Commission shall elect a chairman and a vice chairman from its members, may employ a secretary, treasurer, engineers, attorneys, experts, and fix their compensation, and may establish rules and regulations for the government of its own business. A majority of the members shall constitute a quorum for the transaction of business. Before the issuance of bonds as herein provided, each member of the Commission shall give such bond as may be fixed by the Commissioner of Public Roads of the Federal Works Agency, conditioned upon the faithful performance of all duties required by this Act, as amended. Each member of the Commission shall serve for a term of five years and until his successor has been appointed and has qualified as herein provided, except that the initial terms of the above-named members shall be, respectively, in the order above named, one, one, two, three, four, one, and five years. No member shall receive a salary for his services as a member, but each member shall be paid his actual expenses not exceeding \$10 per day in the performance of his duties hereunder. All salaries and expenses shall be paid solely from funds provided under the authority of this Act, as amended."

(d) The portion of section 9 of said Act which reads as follows: "then the bridge shall continue to be owned, maintained, operated, insured, and repaired by the commission, and the rates of tolls shall be so adjusted as to provide a fund not to exceed the amount necessary for the proper maintenance, repair, insurance, and operation of the bridge and its approaches under economical management, including reasonable reserves, until such time as the Texas interests or the Louisiana interests, or both, shall be authorized to accept and shall accept such conveyance under the conditions aforesaid.", is amended so as to read as follows: "then the bridge shall continue to be owned, maintained, operated, insured, and repaired by the Commission as a free bridge until such time as the Texas interests or the Louisiana interests, or both, shall be authorized to accept and shall accept such conveyance under the conditions aforesaid."

SEC. 3. The Commission created by section 2 (b) and (c) of this amendatory Act, when its members have qualified as provided, shall be deemed the successor commission to any commission heretofore operating and functioning pursuant to the provisions of the said Act approved June 18, 1934 (48 Stat. 1008), as heretofore amended and extended.

SEC. 4. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, July 26, 1939.

Succession of Commission.

48 Stat. 1008.

Amendment.

[CHAPTER 373]

AN ACT

To authorize the acquisition of additional land for military purposes.

July 26, 1939  
[H. R. 5736]  
[Public, No. 231]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War is hereby authorized to acquire, in such order or priority as he may determine, title to additional land, or interest therein, or right pertaining thereto, to the extent of the approximate areas hereinafter set forth, for the establishment, enlargement, and essential improvement of the following military reservations, posts, and facilities:

Military reservations.  
Acquisition of additional land at designated, authorized.

Fort Ethan Allen Artillery Range, Vermont, four thousand four hundred and fifty-one acres, more or less.

Fort Ethan Allen Artillery Range, Vt.

Antiaircraft Firing Range, Mohave Desert, north of Barstow and Baker, California, seven hundred and forty-nine thousand four hundred and forty acres, more or less.

Antiaircraft Firing Range, Mohave Desert, Calif.

Fort Bliss, Texas, fifty-one thousand three hundred acres, more or less.

Fort Bliss, Tex.

Fort Devens, Massachusetts, six thousand four hundred and forty-eight acres, more or less.

Fort Devens, Mass.

Fort Dix, New Jersey, one thousand seven hundred and fifty acres, more or less.

Fort Dix, N. J.

Fort Knox, Kentucky, fifty-one thousand three hundred and forty-two acres, more or less.

Fort Knox, Ky.

Leon Springs, Texas, thirteen thousand two hundred and fifty-three acres, more or less.

Leon Springs, Tex.

Camp McCoy, Wisconsin, one thousand acres, more or less.

Camp McCoy, Wis.

Fort George G. Meade, Maryland, ten thousand acres, more or less.

Fort George G. Meade, Md.

Pine Camp, New York, one thousand six hundred and seventy acres, more or less.

Pine Camp, N. Y.

Seventh Corps Area Training Center, south central Iowa, forty thousand acres, more or less.

Seventh Corps Area Training Center, Ia.

Fort Meade, South Dakota, seven thousand six hundred and eighty acres, more or less.

Fort Meade, S. Dak.

Fort Lewis, Washington, two thousand eight hundred and thirty acres, more or less.

Fort Lewis, Wash.

Maxwell Field, Alabama, one hundred acres, more or less.

Maxwell Field, Ala.

SEC. 2. In order to accomplish the purposes of this Act there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to be expended under the direction of the Secretary of War, the sum of \$5,000,000, approximately one-half of which is authorized to be appropriated in each of the fiscal years 1941 and 1942.

Appropriation authorized.

Approved, July 26, 1939.

## [CHAPTER 374]

## AN ACT

July 26, 1939  
[H. R. 5781]  
[Public, No. 232]

To extend the times for commencing and completing the construction of a bridge and causeway across the water between the mainland, at or near Cedar Point and Dauphin Island, Alabama.

Mobile Bay.  
Time extended for  
bridging, Cedar Point  
to Dauphin Island,  
Ala.  
44 Stat. 1242.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of a bridge and causeway between the mainland at or near Cedar Point and Dauphin Island, Alabama, heretofore authorized to be built by Dauphin Island Railway and Harbor Company, its successors and assigns (Alabama Bridge Commission, an agency of the State of Alabama, transferee), as last extended by Public Law Numbered 605, Seventy-fifth Congress, approved June 14, 1938, are hereby further extended one and three years, respectively, from the date of approval of this Act.

52 Stat. 682.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, July 26, 1939.

## [CHAPTER 375]

## AN ACT

July 26, 1939  
[H. R. 6376]  
[Public, No. 233]

To make uniform in the District of Columbia the law on fresh pursuit and to authorize the Commissioners of the District of Columbia to cooperate with the States.

District of Colum-  
bia.  
Uniform Act on  
Fresh Pursuit.  
Arrests in District  
by officers of other  
States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any member of a duly organized State, county, or municipal peace unit of any State of the United States who enters the District of Columbia in fresh pursuit and continues within the said District in such fresh pursuit of a person in order to arrest him on the ground that he is believed to have committed a felony in such State shall have the same authority to arrest and hold such person in custody as has any member of any duly organized peace unit of the said District to arrest and hold in custody a person on the ground that he is believed to have committed a felony in the said District.

Court, etc., hearing.

SEC. 2. If an arrest is made in the District of Columbia by an officer of another State in accordance with the provisions of section 1 of this Act, he shall without unnecessary delay take the person arrested before a judge of the police court of the District of Columbia, or a United States commissioner for the District of Columbia, who shall conduct a hearing for the purpose of determining the lawfulness of the arrest. If the judge of the police court of the District of Columbia or the United States commissioner before whom the hearing is conducted determines that the arrest was lawful, he shall commit the person arrested to await for a reasonable time the issuance of an extradition warrant by the chief justice of the District Court of the United States for the District of Columbia. If the judge of the police court or the United States commissioner for the District of Columbia, before whom the hearing is held, determines that the arrest was unlawful he shall discharge the person arrested.

Commitment pend-  
ing extradition if ar-  
rest deemed lawful.

Discharge if deter-  
mined unlawful.

Construction of sec-  
tion 1.

"Fresh pursuit",  
term defined.

SEC. 3. Section 1 of this Act shall not be construed so as to make unlawful any arrest in this District which would be otherwise lawful.

SEC. 4. The term "fresh pursuit" used in this Act shall include fresh pursuit as defined by the common law, also the pursuit of a person who has committed a felony or one whom the pursuing officer

has reasonable grounds to believe has committed a felony. It shall also include the pursuit of a person whom the pursuing officer has reasonable grounds to believe has committed a felony, although no felony has actually been committed, if there is reasonable ground for believing that a felony has been committed. "Fresh pursuit" as used herein shall not necessarily imply an instant pursuit, but pursuit without unreasonable delay.

Sec. 5. That if any part of this Act is for any reason declared void, it is declared to be the intent of this Act that such invalidity shall not affect the validity of the remaining portions of this Act.

Sec. 6. That this Act may be cited as the Uniform Act on Fresh Pursuit.

Approved, July 26, 1939.

Saving clause.

Short title.

[CHAPTER 376]

JOINT RESOLUTION

To provide minimum national allotments for cotton.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 343 (b) of the Agricultural Adjustment Act of 1938, as amended (relating to the national allotment for cotton), is amended by adding at the end thereof the following new sentence: "The national allotment for any year (after 1939) shall be not less than ten million bales."

Approved, July 26, 1939.

July 26, 1939  
[H. J. Res. 247]  
[Pub. Res., No. 32]

Agricultural A d -  
justment Act of 1938,  
amendment.  
52 Stat. 57.  
7 U. S. C., Supp. IV,  
§ 1343 (b).  
Minimum national  
allotment for cotton.

[CHAPTER 377]

JOINT RESOLUTION

To provide minimum national allotments for wheat.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the last sentence of section 333 of the Agricultural Adjustment Act of 1938, as amended (relating to the minimum acreage allotment for wheat), is amended to read as follows: "The national acreage allotment for wheat for any year shall be not less than fifty-five million acres."

Approved, July 26, 1939.

July 26, 1939  
[H. J. Res. 248]  
[Pub. Res., No. 33]

Agricultural A d -  
justment Act of 1938,  
amendment.  
52 Stat. 53, 775.  
7 U. S. C., Supp. IV,  
§ 1333.  
Minimum national  
allotment for wheat.

[CHAPTER 378]

JOINT RESOLUTION

Relating to section 322 of the Agricultural Adjustment Act of 1938, as amended.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That notwithstanding the provisions of section 322 of the Agricultural Adjustment Act of 1938, as amended, the determinations under subsection (c) may be proclaimed at any time prior to September 15, the result of the referendum under subsection (d) may be proclaimed at any time prior to October 10, and the marketing percentage under subsection (b) shall be 100 per centum.

Approved, July 26, 1939.

July 26, 1939  
[H. J. Res. 342]  
[Pub. Res., No. 34]

Agricultural A d -  
justment Act of 1938,  
amendment.  
52 Stat. 50.  
7 U. S. C., Supp. IV,  
§ 1322 (c).  
Time for proclama-  
tion of quotas; refer-  
endum.

## [CHAPTER 379]

## JOINT RESOLUTION

July 26, 1939  
[H. J. Res. 343]  
[Pub. Res., No. 35]

To amend section 335 (c) of the Agricultural Adjustment Act of 1938, as amended.

Agricultural A d -  
justment Act of 1938,  
amendment.  
52 Stat. 54.  
7 U. S. C., Supp. IV,  
§ 1335 (c).  
Farm marketing  
quota, wheat.  
Computation.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 335 (c) of the Agricultural Adjustment Act of 1938, as amended, is amended to read as follows:

"(c) The farm marketing quota for any farm for any marketing year shall be a number of bushels of wheat equal to the sum of—

"(1) A number of bushels equal to the normal production or the actual production, whichever is the greater, of the farm acreage allotment; and

"(2) A number of bushels equal to the amount, or part thereof, of wheat from any previous crop which the farmer has on hand which, had such amount, or part thereof, been marketed during the preceding marketing year in addition to the wheat actually marketed during such preceding marketing year, could have been marketed without penalty.

Where marketing is  
not in excess of normal  
or actual production,  
etc.  
52 Stat. 55.  
7 U. S. C., Supp. IV,  
§ 1339.  
Storage provisions.

"(3) Any farmer who does not market wheat in excess of the normal production or the actual production, whichever is the greater, of the farm acreage allotment shall not be subject to penalty under the provisions of section 339. Any farmer who stores, in accordance with regulations issued by the Secretary, an amount of wheat which is less than the amount subject to penalty, shall be presumed to have marketed the amount of such wheat subject to penalty which is not so stored."

Approved, July 26, 1939.

## [CHAPTER 383]

## AN ACT

July 27, 1939  
[H. R. 161]  
[Public, No. 234]

To amend section 73 of the Hawaiian Organic Act, approved April 30, 1900, as amended.

Hawaiian Organic  
Act, amendment.  
31 Stat. 154.  
48 U. S. C. § 670.

Provisos.  
Homestead lands,  
disposal of forfeited,  
etc., for cash to quali-  
fied homesteaders.

50 Stat. 522.  
7 U. S. C., Supp. IV,  
ch. 33.

Patent, provisions.

Effective date.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 73 of the Hawaiian Organic Act, as amended, be, and the same is hereby, further amended by adding at the end of paragraph (i) of said section 73 the following: " : *Provided, however*, That any such lot not taken or taken and forfeited, or any lot or part thereof surrendered with the consent of the Commissioner, may, instead of being disposed of as hereinabove provided, be disposed of for cash and forthwith patented to any citizen of the United States, possessing the qualifications of a homesteader as now provided by law, applying therefor and who has qualified for and received a loan under the provisions of the Bankhead-Jones Farm Tenant Act, approved July 22, 1937 (U. S. C., 1934 edition, Supp. IV, title 7, ch. 33), for the acquisition of a farm: *And provided further*, That any patent issued upon any such sale shall contain the same restrictive provisions as are now contained in a patent issued after compliance with a right of purchase lease, cash freehold agreement, or special homestead agreements."

SEC. 2. This Act shall be in force and effect from and after its passage.

Approved, July 27, 1939.

## [CHAPTER 384]

## AN ACT

To extend the period of restrictions on lands of the Quapaw Indians, Oklahoma, and for other purposes.

July 27, 1939  
[H. R. 3796]  
[Public, No. 235]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all existing restrictions, tax limitations, and exemptions affecting lands of Quapaw Indians in Oklahoma be, and the same are hereby, extended for a further period of twenty-five years from the date on which such restrictions, limitations, and exemptions would otherwise expire: *Provided, however,* That nothing herein contained shall be construed as preventing the Secretary of the Interior, in his discretion, from removing such restrictions, in whole or in part, upon application of any adult Indian owner of any such lands, on any interest therein, whenever the Secretary of the Interior finds it to be advantageous to the Indian owner to do so.

Quapaw Indians,  
Okla.  
Restrictions on  
lands of, further ex-  
tended.

*Preriso.*  
Discretionary re-  
moval upon applica-  
tion of Indian land  
owner.

SEC. 2. That said restricted tracts of land or any part thereof, may be leased for business, mining, or other purposes in accordance with such rules and regulations as the Secretary of the Interior may prescribe, and not otherwise: *Provided, however,* That no lease, modification, or assignment thereof shall be made over the written protest of adult Indians owning a majority interest therein.

Leasing for business,  
etc., purposes.

*Preriso.*  
Restriction.

Approved, July 27, 1939.

## [CHAPTER 385]

## AN ACT

To grant to the Commonwealth of Massachusetts a retrocession of jurisdiction over the General Clarence R. Edwards Memorial Bridge, bridging Watershops Pond of the Springfield Armory Military Reservation in the city of Springfield, Massachusetts.

July 27, 1939  
[H. R. 6370]  
[Public, No. 236]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby granted to the Commonwealth of Massachusetts a retrocession of jurisdiction over the General Clarence R. Edwards Memorial Bridge, bridging Watershops Pond of the Springfield Armory Military Reservation in the city of Springfield, Massachusetts, covered by a certain grant from the Secretary of War to the city of Springfield, Massachusetts, dated October 15, 1936, authorized by Act of Congress approved July 14, 1932 (47 Stat. 663), as heretofore or hereafter amended by the Secretary of War, and subject to all the terms and conditions contained in said permit as so granted, and any amendments thereof, as aforesaid. The land, premises, and bridge over which such retrocession of jurisdiction is hereby granted shall be the whole of the bridge constructed under said permit and any amendments thereof, throughout its entire length and width, and for the entire distance granted therein.

Gen. Clarence R.  
Edwards Memorial  
Bridge, Springfield,  
Mass.  
Jurisdiction over,  
retroceded to Com-  
monwealth of Massa-  
chusetts.

47 Stat. 663.

Terms and condi-  
tions.

Description of grant.

SEC. 2. Whenever the city of Springfield, Massachusetts, shall cease to occupy and use the land, premises, and bridge for highway purposes as authorized in said permit, and any amendments thereof, then all jurisdiction thereover shall revert to the United States.

Reversionary provi-  
sion.

SEC. 3. The retrocession of jurisdiction granted shall not become effective until the same is accepted by the General Court of the Commonwealth of Massachusetts.

Subject to State ac-  
ceptance.

Approved, July 27, 1939.



## [CHAPTER 386]

## AN ACT

July 27, 1939  
[S. 1725]  
[Public, No. 237]

Relating to the acquisition of the site for the post-office building to be constructed in Poplarville, Mississippi.

Poplarville, Miss.  
Removal of certain  
restrictions respecting  
the acquisition of post-  
office building site.  
R. S. § 3741.  
41 U. S. C. § 22.  
35 Stat. 1109.  
18 U. S. C. §§ 204,  
205.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the provisions of section 3741 of the Revised Statutes (U. S. C., 1934 edition, title 41, sec. 22) and sections 114 and 115 of the Criminal Code of the United States (U. S. C., 1934 edition, title 18, secs. 204 and 205) shall not be applicable with respect to any contract or agreement entered into by or on behalf of the United States for the acquisition of any part of the site for the post-office building to be constructed in Poplarville, Mississippi.

Approved, July 27, 1939.

## [CHAPTER 387]

## AN ACT

July 27, 1939  
[S. 1878]  
[Public, No. 238]

To provide for the distribution of the judgment fund of the Shoshone Tribe of the Wind River Reservation in Wyoming, and for other purposes.

Shoshone Indians of  
Wind River Reserva-  
tion, Wyo.

Tribal roll, prepara-  
tion; basis for distri-  
bution of judgment  
fund.

52 Stat. 1156.

Credit to each en-  
rollee authorized.

Immediate per cap-  
ita distribution.

Sums for specified  
purposes.

*Proviso.*  
Maintenance of aged  
and infirm members.

Disposition of re-  
mainder.

Terms defined.

Death of enrollee,  
availability of deposit.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior be, and he is hereby, authorized and directed, with the advice and consent of the business council of the Shoshone Tribe of the Wind River Reservation in Wyoming, to prepare a roll showing the members of said tribe living on the date of the approval of this Act, and such roll shall form the basis for the distribution of the judgment fund of said tribe created as the result of the passage of the Act of June 25, 1938 (52 Stat. 1114-1156), and accrued interest thereon.

SEC. 2. That there shall be credited on the books of the Office of Indian Affairs the sum of \$2,450 to each member of said tribe whose name appears on the roll provided for in section 1 hereof; and out of such sum so credited the Secretary of the Interior is hereby authorized to make available immediately to each individual member of the tribe the sum of \$100; and, under such rules and regulations as he may prescribe, the sum of \$1,350 to each adult and the sum of \$500 to each minor for the following purposes: Purchase of land, improvement of lands to be acquired or already held by the Indian, for the erection and improvement of suitable homes, the purchase of building material, farming equipment, livestock, feed, food, seed, grain, tools, machinery, implements, household goods, bedding, clothing, and any other equipment or supplies necessary to enable the Indians to fit themselves for or to engage in farming, livestock, industry, or such other pursuits or vocations, including education, as will enable them to become self-supporting: *Provided, however,* That the funds of the aged, infirm, decrepit, and incapacitated members may be used for their proper maintenance and support in the discretion of the Secretary of the Interior. The remainder of the share of each adult individual Indian, including accrued interest, shall be made available under such rules and regulations as the Secretary of the Interior may prescribe, and the remainder of the share of each minor Indian shall, with accrued interest, be held intact until such Indian reaches the age of eighteen years, when it shall be available under the same conditions as herein provided for adults. As herein used the term "adult" shall include the members of the tribe eighteen years of age or over, and the term "minor" shall include all members less than eighteen years of age. On the death of any enrolled member, adult or minor, the sum on deposit to his

credit shall be available for expenditure for the benefit of his heirs for the purposes herein authorized.

SEC. 3. (a) Not to exceed \$1,000,000 of said judgment fund, or interest thereon, shall be available for expenditure upon the request of the tribe and with the approval of the Secretary of the Interior, for the purchase of lands in the manner prescribed in section 6 of this Act.

(b) The sum of \$125,000 of said judgment fund, or interest thereon, shall, at the request of the tribe and with the approval of the Secretary of the Interior, be set aside as a loan fund for making loans to individual members, or groups of members, of said tribe under such rules and regulations as may be prescribed by the Secretary of the Interior.

(c) The remainder of said judgment fund, including interest thereon, after making the segregation provided for in section 2, and after setting aside the respective amounts authorized by this section, shall be available for appropriation, upon the recommendation of the Secretary of the Interior, and with the consent of the tribe, for purposes of benefit to the tribe, including the establishment and administration of productive enterprises for the benefit of said tribe, and any income derived from such enterprises shall be credited to the Shoshone tribal judgment fund: *Provided*, That should such enterprises also benefit the Arapaho Tribe repayment proportionate to the benefit to the Arapaho Tribe shall be made into the Shoshone judgment fund by the Arapaho Tribe out of such tribal income as the Arapaho Tribe may enjoy.

SEC. 4. That the Secretary of the Interior be, and he is hereby, authorized and directed to establish land-use districts within the diminished and ceded portions of the Wind River Indian Reservation, Wyoming, and, under such rules and regulations as he may prescribe, to effect the consolidation of Indian and privately owned lands within said districts through exchange, relinquishment, donation, assignment, or purchase of lands or interests therein, including water rights or surface rights to lands, improvements thereon and improvements on undisposed-of ceded lands, to the end that the respective Indian and non-Indian land holdings may be consolidated for more beneficial use. Exchanges of lands hereunder shall be made on the basis of equal value, and the value of improvements on lands to be relinquished to the Indians or by Indians to non-Indians shall be given due consideration, and allowance made therefor in the valuation of lieu lands. This section shall apply to tribal land, and trust or otherwise restricted Indian allotments, whether the allottees be living or deceased. In all transactions involving tribal Indian land, the consent of the Shoshone and Arapaho Tribes shall first be obtained. Title to all lands or interests therein acquired by the Government through exchange of tribal land shall be taken in the name of the United States in trust for the Shoshone and Arapaho Tribes of Indians of the Wind River Reservation, Wyoming. Title to lands exchanged for individual Indian allotments, or purchased for individual Indians with restricted funds shall be taken by the United States in trust for the individual Indian allottee or heir. The right herein granted individual Indians to acquire lands by purchase with restricted funds or by exchange shall not extend to lands on the ceded or opened portion of the reservation.

SEC. 5. That the Secretary of the Interior is hereby directed to restore to tribal ownership all undisposed-of surplus or ceded lands within the land use districts which are not at present under lease or permit to non-Indians; and, further, to restore to tribal ownership the balance of said lands progressively as and when the non-Indian owned lands within a given land use district are acquired by the

Purchase of lands.

Sum set aside as a loan fund.

Establishment of productive enterprises.

*Provided*. Repayment for benefit accruing to Arapaho Tribe.

Land-use districts.

Exchanges and consolidations of lands, etc.

Basis.

Application of section.

Tribal consent in transactions.  
Title to lands, etc.

Restoration to tribal ownership of all undisposed-of surplus or ceded lands, etc.

*Proviso.*  
Provisions inapplicable to certain reclamation projects.

Appropriation authorized; availability, reimbursement.

Title in trust for Indians.

Purchases, etc., subject to tribal approval.

Liability for prior debts.

Government for Indian use pursuant to the provisions of this Act. All such restorations shall be subject to valid existing rights and claims: *Provided*, That no restoration to tribal ownership shall be made of any lands within any reclamation project heretofore authorized within the diminished or ceded portions of the reservation.

SEC. 6. That the sum of \$1,000,000 authorized in section 3 for use in carrying out the land purchase and consolidation program hereinbefore authorized shall remain available until expended and any amount expended shall be reimbursed with interest at 4 per centum per annum to the Shoshone Tribe of Indians of the Wind River Reservation from joint funds to the credit of the Shoshone and Arapaho Tribes of the Wind River Reservation or from future accruals to said joint fund, as and when said funds accrue. Title to all land purchases made hereunder shall be taken in the name of the United States in trust for the Shoshone and Arapaho Tribes of Indians of the Wind River Reservation, Wyoming. All purchases of lands or interests therein made pursuant to this section shall receive the approval of the Shoshone and Arapaho Tribal Councils or of the business committees thereof.

SEC. 7. That in no event shall any portion of the Shoshone judgment fund become liable, payable, or subject to any debt or debts contracted prior to the passage of this Act by any Indian of the Shoshone Tribe except debts to the United States or to the tribe.

Approved, July 27, 1939.

#### [CHAPTER 388]

#### AN ACT

To improve the efficiency of the Coast Guard, and for other purposes.

July 27, 1939

[S. 2170]

[Public, No. 239]

Coast Guard.  
36 Stat. 538.  
33 U. S. C. § 716.

Temporary employment of draftsmen, etc., at seat of government.

Saint Louis, Mo., site for depot.

Atlantic City, N. J., servicing base.

Yerba Buena Island Military Reservation, Calif.; transfer of portion for Coast Guard use.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the last clause of section 9 of the Act approved June 17, 1910 (36 Stat., 538; U. S. C., title 33, sec. 716), is amended to read as follows:

"and the Commandant of the Coast Guard is authorized to employ temporarily at the seat of government, draftsmen and engineers for the preparation of plans and specifications for vessels, lighthouses, aids to navigation, and other works for the Coast Guard that may be authorized or appropriated for by Congress, to be paid from the appropriations applicable to such works."

SEC. 2. The Secretary of the Treasury is authorized to acquire by purchase and/or lease the necessary land for locating a Coast Guard depot at or in the vicinity of Saint Louis, Missouri, and he is authorized to erect thereon such wharves, docks, buildings, or other structures as he may determine to be necessary.

SEC. 3. The Secretary of the Treasury is authorized to purchase a site for a servicing base for the Coast Guard at or in the vicinity of Atlantic City, New Jersey.

SEC. 4. The Secretary of War is authorized to transfer to the Treasury Department for the use of the Coast Guard, the tract of land no longer needed for military purposes and comprising the whole of tract numbered 2 of the United States Military Reservation on Yerba Buena Island in San Francisco Bay, State of California, containing twenty-six and fifty-one one-hundredths acres, more or less, exclusive of the two parcels, together containing two and sixty-nine one-hundredths acres, now under the control and jurisdiction of the Navy Department, all as shown on map numbered 6797-101, entitled "Yerba Buena Island, California (Goat Island) Reservation Map", dated December 1935, revised to May 21, 1938, on file in the office of the Quartermaster General, War Department, Washington,

District of Columbia, the specific tract of land to be more fully described by metes and bounds at the time of transfer.

SEC. 5. The Secretary of the Treasury is authorized and empowered to lease for a period not to exceed twenty-five years to the New York Central Railroad Company, a corporation organized and existing under and by virtue of the laws of the State of New York and other States, its successors and assigns, for railroad track purposes, that portion of the Rochester Harbor Lighthouse property at Charlotte, New York, now occupied by wye track of said railroad company under the terms and provisions of a revocable license granted by the Department of Commerce, which license expires by limitation during 1939, or such modification thereof as may be deemed to be in the public interest. The New York Central Railroad Company for such use of the property in question shall pay the same yearly rental as stipulated in stated existing revocable license or such yearly rental as may be hereafter determined by the Secretary of the Treasury, at his discretion: *Provided*, That nothing herein contained shall grant or convey or be held to grant or convey to said railroad company, its successors or assigns, during such time as it or they may hold, said land under the lease hereby authorized, nor any right or privilege to take or remove any of such land or structures other than the property of the said railroad company: *Provided further*, That the Secretary of the Treasury may at any time during the said lease period of twenty-five years, at his discretion, terminate and cancel said lease, in case said company shall fail to comply with the stipulated terms or conditions. It shall also be stipulated in the lease hereby authorized that upon termination or expiration the said railroad company shall promptly remove from the land all of its property and restore the same to the condition when first taken or condition otherwise satisfactory to the Government.

SEC. 6. Section 1 of the Act entitled "An Act to authorize the Secretary of Commerce to convey to the Commissioners of the Palisades Interstate Park, a body politic of the State of New York, certain portions of the Stony Point Light Station Reservation, Rockland County, New York, including certain appurtenant structures, and for other purposes", approved July 30, 1937 (50 Stat. 549), is amended by striking out "the Commissioners of the Palisades Interstate Park" and inserting in lieu thereof "the Palisades Interstate Park Commission, a body corporate and politic established by compact between the States of New York and New Jersey, authorized by joint resolution of Congress approved August 19, 1937 (50 Stat. 719)"; and section 2 of such Act of July 30, 1937, is amended by striking out "In exchange for the property to be transferred the Commissioners of the Palisades Interstate Park shall transfer title to the United States to" and inserting in lieu thereof "The Secretary of the Treasury is also authorized to accept on behalf of the United States".

Approved, July 27, 1939.

#### [CHAPTER 389]

#### AN ACT

For the protection of the water supply of the city of Ketchikan, Alaska.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the two tracts of public lands within the areas hereinafter described, situated in the Territory of Alaska, are hereby reserved from all forms of location, entry, or appropriation, whether under the mineral or nonmineral land laws of the United States, and set aside as municipal water-supply reserves for the use and benefit

Rochester Harbor  
Lighthouse property,  
Charlotte, N. Y.  
License for right-of-  
way across, granted  
the N. Y. Central  
R. R. Co.

Yearly rental.

*Provisos.*  
Restrictions.

Termination of lease  
upon failure to com-  
ply.

Restoration of prop-  
erty.

Stony Point Light  
Station Reservation,  
N. Y., exchange of  
properties.

50 Stat. 549.

50 Stat. 719.

July 27, 1939  
[H. R. 2413]

[Public, No. 240]

Ketchikan, Alaska.  
Designated lands  
set aside as municipal  
water-supply reserves.

Description.	<p>of the people of the city of Ketchikan, a municipal corporation of the Territory of Alaska, as follows, to wit: (a) Starting at the east end of the Ketchikan Public Utilities Dam, situated at lower end of the lower Ketchikan Lake, and extending thence in a northwesterly direction, following the divide to the summit of Minerva Mountain; thence in a northerly direction along the divide to the summit of Diana Mountain; thence following the high divide around the Ketchikan Lakes and Granite Basin over the summits of Dude Mountain and John Mountain; and thence in a southerly direction along the divide to the summit of Sylvis Mountain to the summit of Deer Mountain; thence in a westerly direction along the small divide to Ketchikan Creek at a point approximately four thousand eight hundred feet below the dam; thence along Ketchikan Creek to the dam, the place of beginning; said area being the drainage area of Ketchikan Lakes and Granite Basin above the Ketchikan city water supply. (b) And starting at the east end of the Ketchikan Public Utilities Dam at lower end of Carlanna Lake, and extending thence along the small divide in a northerly direction to the summit of Ward Mountain; thence along the high divide in an easterly direction to the summit of Juno Mountain; thence along the same divide in a southeasterly direction to the summit of Minerva Mountain; thence in a southerly direction along the small divide to the eastern side line of United States Survey 1229, of E. A. Heath, approximately two thousand eight hundred and fifty feet from the northeast corner of said survey; thence along said side line to the northeast corner; thence in a westerly direction along the northern boundary line to the northwest corner of said survey; thence in a northerly direction along the divide to Carlanna Lake Dam, the point of beginning; said area being the drainage area of Carlanna Lake and Hoadley Creek above the Ketchikan city water supply.</p>
Jurisdiction and administration.	<p>SEC. 2. The public lands heretofore described and reserved for municipal water-supply purposes, not a part of the Tongass National Forest, shall be administered by the Secretary of the Interior, and those within the Tongass National Forest shall be administered by the Secretary of Agriculture, for the purpose of storing, conserving, and protecting from pollution the said water supply, and preserving, improving, and increasing the timber growth on said lands, to more fully accomplish such purposes; and to that end said municipality shall have the right, subject to the approval of the Secretary of the Interior and the Secretary of Agriculture, to the use of any and all parts of the lands reserved for the storage and conveying of water and construction and maintenance thereon of all improvements for such purposes: <i>Provided</i>, That the merchantable timber on the land to be used by the said municipality which is under the jurisdiction of the Secretary of the Interior may be sold by the said Secretary under rules and regulations to be prescribed by him: <i>And provided further</i>, That the right to the use by the city of Ketchikan of the lands reserved by this Act shall terminate upon the abandonment of the use by such municipality in accordance with the terms of this Act, and upon a finding of such nonuse or abandonment, for a period of two years, by the head of the department having jurisdiction over the land involved, whereupon the reservation created by this Act shall terminate to the extent of such lands involved.</p>
Provisos. Sale of timber.	
Reversionary provision.	
Regulations to be prescribed and enforced.	<p>SEC. 3. The Secretary of the Interior and the Secretary of Agriculture are hereby authorized to prescribe and enforce such regulations as may be found necessary to carry out the purpose of this Act, including the right to forbid persons other than those authorized</p>

by them and the municipal authorities of said municipal corporation from entering or otherwise trespassing upon these lands, and any violation of this Act or of regulations issued thereunder shall be a misdemeanor and shall be punishable as is provided for in section 5050, Compiled Laws of Alaska, 1933.

SEC. 4. Nothing herein contained shall affect any valid right or claim to any part of said lands heretofore acquired under any law of the United States.

Approved, July 27, 1939.

Penalty for violation.

Existing rights not impaired.

[CHAPTER 390]

AN ACT

To provide means by which certain Filipinos can emigrate from the United States.

July 27, 1939

[H. R. 4646]

[Public, No. 241]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any native Filipino residing in any State or Territory or the District of Columbia on the effective date of this Act, who desires to return to the Philippine Islands, may apply to the Secretary of Labor, upon such form as the Secretary may prescribe, through any officer of the Immigration Service for the benefits of this Act. Upon approval of such application, the Secretary of Labor shall notify such Filipino forthwith, and shall certify to the Secretary of the Navy and the Secretary of War that such Filipino is eligible to be returned to the Philippine Islands under the terms of this Act. Every Filipino who is so certified shall be entitled, at the expense of the United States, to transportation and maintenance from his present residence to a port on the west coast of the United States, or in the case of a Filipino residing in Hawaii, to a port in that Territory, and from such port, to passage and maintenance to the port of Manila, Philippine Islands, on either Navy or Army transports, whenever space on such transports is available, or on any ship of United States registry operated by a commercial steamship company which has a contract with the Secretary of Labor as provided in section 2.

Native Filipinos residing in United States.

Application for return to Philippine Islands.

Notification upon approval.

Transportation and maintenance expense.

SEC. 2. The Secretary of Labor is hereby authorized and directed to enter into contracts with any railroad or other transportation company, for the transportation from their present residences to a port on the west coast of the United States or, in the cases of residents of Hawaii, to a port in that Territory, of Filipinos eligible under section 1 to receive such transportation, and with any commercial steamship company, controlled by citizens of the United States and operating ships under United States registry, for transportation and maintenance of such Filipinos from such ports to the port of Manila, Philippine Islands, at such rates as may be agreed upon between the Secretary and such steamship, railroad, or other transportation company.

Contracts for transportation.

SEC. 3. The Secretary of Labor is authorized and directed to prescribe such rules and regulations as may be necessary to carry out this Act, to enter into the necessary arrangements with the Secretary of War and the Secretary of the Navy, to fix the ports on the west coast of the United States and in Hawaii from which any Filipinos shall be transported and the dates upon which transportation shall be available from such ports, to provide for the identification of the Filipinos entitled to the benefits of this Act, and to prevent voluntary interruption of the journey between the port of embarkation in the United States or Hawaii and the port of Manila, Philippine Islands.

Rules and regulations.

Reentry of beneficiaries.

48 Stat. 462.  
48 U. S. C. § 1238.

Appropriation authorized.  
Post, p. 1319.  
Administration.

Time limitation.

Not to be considered deportation.

SEC. 4. No Filipino who receives the benefits of this Act shall be entitled to return to the United States, its Territories or possessions, except as a quota immigrant under the provisions of section 8 (a) (1) of the Philippine Independence Act of March 24, 1934, during the period such section 8 (a) (1) is applicable.

SEC. 5. There is hereby authorized to be appropriated from moneys in the Treasury not otherwise appropriated, amounts necessary to carry out the provisions of this Act. All amounts so appropriated shall be administered by the Secretary of Labor, and all expenses, including those incurred by the Navy and War Departments, shall be charged thereto.

SEC. 6. No application for the benefits of this Act shall be accepted by any officer of the Immigration Service after December 1, 1940; and all benefits under this Act shall finally terminate on December 31, 1940, unless the journey has been started on or before that date, in which case the journey to Manila shall be completed.

SEC. 7. Nothing in this Act shall be construed as authority to deport any native of the Philippine Islands, and no Filipino removed from any State or Territory or the District of Columbia under the provisions of this Act shall hereafter be held to have been deported from the United States.

Approved, July 27, 1939.

#### [CHAPTER 393]

#### AN ACT

July 28, 1939  
[H. R. 54071  
[Public, No. 242]

To amend an Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, and Acts amendatory thereof and supplementary thereto.

Bankruptcy Act of 1898, amendments.

30 Stat. 544.  
11 U. S. C.; 11 U. S. C., Supp. IV.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act of July 1, 1898, entitled "An Act to establish a uniform system of bankruptcy throughout the United States", as amended, is hereby further amended by adding thereto a new chapter, to be designated chapter XV, and to read as follows:

#### "CHAPTER XV—RAILROAD ADJUSTMENTS

##### "ARTICLE I—JURISDICTION

Jurisdiction.

"SEC. 700. In addition to the jurisdiction otherwise exercised, courts of bankruptcy shall exercise original jurisdiction, as provided in this chapter, for postponements or modifications of debt, interest, rent, and maturities or for modifications of the securities or capital structures of railroads.

##### "ARTICLE II—DEFINITIONS

Definitions.

"SEC. 705. The following terms, as used in this chapter, unless a different meaning is plainly required by the context, shall be construed as follows:

"Petitioner."  
41 Stat. 494.  
49 U. S. C. § 20a.  
47 Stat. 1474.  
11 U. S. C. § 205;  
Supp. IV, § 205.  
"Claims."

"(1) 'Petitioner' means any carrier as defined in section 20a of the Interstate Commerce Act, excluding any corporation in equity receivership or in proceedings for reorganization under section 77 of this Act, petitioning for a plan of adjustment, as hereinafter defined.

"(2) 'Claims' includes debts whether liquidated or unliquidated, certificates of deposits of securities (other than stock and option warrants to subscribe to stock), including demands and obligations of whatever character made, assumed or guaranteed by the petitioner.

"Debt."

"(3) 'Debt' shall be considered to include all claims held or owned by 'creditors' as hereinafter defined.

"(4) 'Creditors' shall include all holders of claims, demands, and obligations of whatever character against the petitioner or its property, whether or not such claims would otherwise constitute provable claims in bankruptcy, including the holders of claims made, assumed, or guaranteed by the petitioner.

"Creditors."

"(5) 'Securities' shall include those defined in section 20a of the Interstate Commerce Act, as amended, and also certificates of deposit and all other evidences of ownership of or interest in securities.

"Securities."

"(6) 'Commission' refers to the Interstate Commerce Commission.

"Commission."

"(7) 'Adjustment' shall include postponements or modifications of debt, interest, rent, and maturities and modifications of the securities or capital structures.

"Adjustment."

"SEC. 706. No creditor shall be deemed to be 'affected' by any plan unless such plan proposes a modification of the evidence of debt or other instrument defining the rights of such creditor, or a modification of the security, if any, for the claim of such creditor.

Creditor's claim unaffected; exception.

#### "ARTICLE III—PETITION AND POWERS OF COURT

"SEC. 710. Any railroad corporation not in equity receivership or in process of reorganization under section 77 of the Bankruptcy Act at the time of filing its petition hereunder, and which has not been in equity receivership or in process of reorganization under said section 77 within ten years prior to the filing of such petition, which shall have—

Petitioners not in equity receivership, etc.

47 Stat. 1474.  
11 U. S. C. § 205;  
Supp. IV, § 205.

"(1) Prepared a plan of adjustment and secured assurances satisfactory to the Commission of the acceptance of such plan from creditors holding at least 25 per centum of the aggregate amount of all claims affected by said plan of adjustment (including all such affected claims against said corporation, its parents and subsidiaries), and

Procedure.

Preparation and acceptance of plan of adjustment.

"(2) Thereafter obtained an order of the Commission, (but not of a division thereof), under section 20a of the Interstate Commerce Act authorizing the issuance or modification of securities as proposed by such plan of adjustment (other than securities held by, or to be issued to Reconstruction Finance Corporation), such order of the Commission to include also specific findings:

Order of Commission.

41 Stat. 494.  
49 U. S. C. § 20a.

Specific findings to be included.

"(a) That such corporation is not in need of financial reorganization of the character provided for under section 77 of this Act;

"(b) That such corporation's inability to meet its debts matured or about to mature is reasonably expected to be temporary only; and

"(c) That such plan of adjustment, after due consideration of the probable prospective earnings of the property in the light of its earnings experience and of such changes as may reasonably be expected,—

"(i) is in the public interest and in the best interests of each class of creditors and stockholders;

"(ii) is feasible, financially advisable, and not likely to be followed by the insolvency of said corporation, or by need of financial reorganization or adjustment;

"(iii) does not provide for fixed charges (of whatsoever nature including fixed charges on debt, amortization of discount on debt, and rent for leased roads) in an amount in excess of what will be adequately covered by the probable earnings available for the payment thereof;

"(iv) leaves adequate means for such future financing as may be requisite;



“(v) is consistent with adequate maintenance of the property; and

“(vi) is consistent with the proper performance by such railroad corporation of service to the public as a common carrier, will not impair its ability to perform such service:

*Provisos.*  
Scrutiny of facts.

Designated orders made before Apr. 1, 1939, containing favorable findings.

*Provided*, That in making the foregoing specific findings the Commission shall scrutinize the facts independently of the extent of acceptances of such plan and of any lack of opposition thereto: *Provided further*, That an order of the Commission (or of a division thereof) under section 20a of the Interstate Commerce Act, made prior to April 1, 1939, authorizing the issuance or modification of securities as proposed by a plan of adjustment (other than securities held by, or to be issued to, Reconstruction Finance Corporation), shall be effective for the purpose of this subparagraph (2) of the first sentence of section 710, notwithstanding failure to include therein the foregoing specific findings, if such order did include the specific findings that such proposed issuance or modification of securities is compatible with the public interest, is consistent with the proper performance by the railroad corporation of service to the public as a common carrier, and will not impair its ability to perform such service, and

Assents by creditors.

“(3) Secured assents to such plan of adjustment by creditors holding more than two-thirds of the aggregate amount of the claims affected by said plan, which two-thirds shall include at least a majority of the aggregate amount of the claims of each affected class,

Petition of inability to meet debts, etc.

may file in the United States district court in whose territorial jurisdiction such railroad corporation has had its principal executive or principal operating office during the preceding six months or a greater period thereof, its petition averring that it is unable to meet its debts, matured or about to mature, and desires to carry out the plan of adjustment.

Copy of Commission's order to accompany.

Consolidation of proceedings.

“A copy of the order obtained from the Commission, as above provided, shall be filed with the petition and made a part thereof.

“SEC. 711. Any corporation which has complied with subparagraphs (1), (2), and (3) of the first sentence of section 710, and in which corporation the majority of the capital stock having power to vote for the election of directors is owned, directly or indirectly through an intervening medium by any railroad corporation which has filed a petition hereunder, or any corporation which is a lessor of the petitioning corporation and which has complied with the aforesaid subparagraphs (1), (2), and (3) of section 710, may file its petition in the same court in which the petition first aforesaid shall have been filed, and such petitions shall be heard and disposed of in a single proceeding.

Filing fee.

“SEC. 712. The petition shall be accompanied by payment to the clerk of a filing fee of \$100, which shall be in addition to the fees required to be collected by the clerk under other sections of this Act, or any other Act.

Conduct of proceedings before three-judge court.

28 U. S. C. § 380.

Powers of court.

“SEC. 713. Immediately following the filing of the petition, there shall be convened a special court of three judges in the manner provided by section 266, as amended, of the Judicial Code, and thereafter all proceedings relative to such plan or any modification thereof shall be conducted before such court. Such three-judge court shall be vested with and shall exercise all the powers of a district court sitting in equity and all the powers as a court of bankruptcy necessary to carry out the intent and provisions of this chapter, including the classification of claims at such time and in such manner as the court may direct.

"SEC. 714. The special court, after hearing, promptly shall enter an order approving the petition as properly filed under this chapter if satisfied that such petition complies with this chapter and has been filed in good faith, or dismissing such petition if not so satisfied.

Approval or dismissal after hearing.

"SEC. 715. If the petition is approved by the special court, the said court, during the pendency of the proceedings under this chapter, shall have exclusive jurisdiction of the petitioner and of its property wherever located to the extent which may be necessary to protect the same against any action which might be inconsistent with said plan of adjustment or might interfere with the effective execution of said plan if approved by the court, or otherwise inconsistent with or contrary to the purposes and provisions of this chapter: *Provided, however,* That nothing herein contained shall be construed to authorize the court to appoint any trustee or receiver for said properties or any part thereof, or otherwise take possession of such properties or control the operation or administration thereof.

Jurisdiction of petitioner if petition approved.

*Proviso.*  
Restriction on appointment of trustee, etc.

#### "ARTICLE IV—HEARINGS

"SEC. 720. The special court shall fix a date for a hearing to be held promptly after the filing of the petition and notice of such hearing or hearings shall be given to all persons in interest in such reasonable manner as the court shall direct. In such proceeding, the court may allow such interventions of persons in interest as it may deem just and proper, but any person in interest shall have the right to present evidence and be heard thereon, in person or by attorney, with or without intervention.

Hearings; notices to all persons in interest.

"SEC. 721. After such hearing, the special court may approve the plan as filed or propose to modify such plan and as hereinafter provided approve the same as so modified. If the court shall propose to modify the plan, then: (a) if such modification substantially alters the basis for the specific findings included in the order made by the Commission under section 20a of the Interstate Commerce Act, the plan as so proposed to be modified shall be resubmitted to the Commission and shall not be finally approved by the court until the Commission (but not a division thereof) has authorized the issuance or modification of securities as proposed by the plan as so modified (other than securities held by, or to be issued to, Reconstruction Finance Corporation) making the findings required by clause (c) of subparagraph (2) of the first sentence of section 710, even in a case where the original order of the Commission under said section 20a was made prior to April 1, 1939; and (b) if such modification substantially or adversely affects the interests of any class or classes of creditors, such plan shall be resubmitted, in such manner as the court may direct, to those creditors so affected by such modification and shall not be finally approved until after (1) a hearing on such modification, to be held within such reasonable time as the court may fix, at which hearing any person in interest may object to such modification, and (2) a reasonable opportunity (within a period to be fixed by the court), following such hearing, within which such affected creditors who have assented to the plan may withdraw or cancel their assents to the plan, and failure by any such creditor to withdraw or cancel an assent within such period shall constitute an acceptance by such assenting creditor of the plan as so modified. After such authorization and finding by the Commission, where required hereby, and after such hearing and opportunity to withdraw or cancel, where required hereby, the court may make the proposed modification, and as provided in section 725 finally approve and confirm the plan as so modified.

Court findings.

Proposal to modify plan; resubmission if substantially altering basis.

41 Stat. 494.  
49 U. S. C. § 20a.

*Anle*, p. 1135.

Adversely affecting creditors' interests.

Hearing on proposed modification.

Opportunity to withdraw assents.

Approval and confirmation of plan as modified.

Federal claims.

"SEC. 722. If the United States, or any agency thereof, or any corporation (other than the Reconstruction Finance Corporation) the majority of the stock of which is owned by the United States, is a creditor or stockholder, the Secretary of the Treasury is hereby authorized to act in respect of the interests or claims of the United States or of such agency or other corporation. If in any proceeding under this chapter the United States is a creditor on claims for taxes or customs duties (whether or not the United States has any other interest in or claim against the debtor as creditor or stockholder), no plan which does not provide for the payment thereof shall be approved by the court except upon the acceptance of a lesser amount or of a postponement by the Secretary of the Treasury certified to the court: *Provided*, That if the Secretary of the Treasury shall fail to accept or reject such lesser amount or such postponement for more than sixty days after receipt of written notice so to do from the court, accompanied by a certified copy of the plan, the consent of the United States insofar as its claims for taxes or customs duties are concerned shall be conclusively presumed.

*Proviso.*  
Presumption of consent.

"ARTICLE V—PROCEEDINGS SUBSEQUENT TO APPROVAL OF PETITION

Proceedings subsequent to approval of petition.  
Assent by designated portion of aggregate amount of claims, etc.

"SEC. 725. If the special court shall find—

"(1) That, at the time of the filing of said petition as provided in article III hereof, the proposed plan of adjustment had been assented to by not less than two-thirds of the aggregate amount of all claims of the petitioner affected by such plan, including at least a majority of the aggregate amount of claims of each such class;

Acceptance of plan as submitted or modified.

"(2) That the plan of adjustment as submitted or as modified by the court has been accepted as submitted or, if modified, then as modified by or on behalf of creditors affected by such plan holding more than three-fourths of the aggregate amount of the claims affected by said plan, including at least three-fifths of the aggregate amount of the claims of each affected class;

Other requirements of plan.

*Ante*, p. 1135.

"(3) That the plan meets the requirements of clause (c), and the petitioner meets the requirements of clauses (a) and (b) of subparagraph (2) of the first sentence of section 710, and that the plan is fair and equitable as an adjustment, affords due recognition to the rights of each class of creditors and stockholders and fair consideration to each class thereof adversely affected, and will conform to the law of the land regarding the participation of the various classes of creditors and stockholders: *Provided*, That in making the findings required by this clause (3), the court shall scrutinize the facts independently of the extent of acceptances of such plan, and of any lack of opposition thereto, and of the fact that the Commission, under section 20a of the Interstate Commerce Act, has authorized the issuance or modification of securities as proposed by such plan, and of the fact that the Commission has made such or similar findings;

*Proviso.*  
Scrutiny of facts.

41 Stat. 494.  
49 U. S. C. § 20a.

Necessary corporate action.

"(4) That all corporate action required to authorize the issuance or modification of securities pursuant to such plan shall have been duly taken;

Petitioner not barred from discharge as bankrupt, etc.

"(5) That the petitioner has not, in connection with said plan or the effectuation thereof, done any act or failed to perform any duty which act or failure would be a bar to the discharge of a bankrupt, and that the plan and the acceptance thereof are in good faith and have not been made or procured by any means, promises, or acts forbidden by this Act; and

Full disclosure of expenses, fees, etc., incurred.

"(6) That, after hearings for the purpose, all amounts or considerations, directly or indirectly paid or to be paid by or for the

petitioner for expenses, fees, reimbursement or compensation of any character whatsoever incurred in connection with the proceeding and plan, or preliminary thereto or in aid thereof, together with all the facts and circumstances relating to the incurring thereof, have been fully disclosed to the Court so far as such amounts or considerations can be ascertained at the time of such hearings, that all such amounts or consideration are fair and reasonable, and to the extent that any such amounts or considerations are not then ascertainable, the same are to be so disclosed to the Court when ascertained, and are to be subject to approval by the special court as fair and reasonable, and except with such approval no amounts or considerations covered by this clause (6) shall be paid.

Conditional upon being fair and reasonable.

Approval by special court.

Said court shall file an opinion setting forth its conclusions and the reasons therefor and shall enter a decree approving and confirming such plan and the adjustment provided thereby, which decree shall be binding upon the petitioner and upon all creditors and security holders of the petitioner; and thereafter the petitioner shall have full power and authority to and shall put into effect and carry out the plan and the orders of the special court relative thereto and issue the securities provided by the plan without further reference to or authority from the Commission or any other authority, State or Federal, except where required by any law relating to the Reconstruction Finance Corporation, and the rights of all creditors and security holders with respect to claims and securities affected by the plan shall be those provided by the plan as so approved and confirmed: *Provided, however*, That the title of any owner, whether as trustee or otherwise, to rolling-stock equipment leased or conditionally sold to the petitioner, and any right of such owner to take possession of such property in compliance with the provisions of any such lease or conditional sale contract, shall not be affected by the provisions of this chapter.

Opinion and decree of court.

Power and authority of petitioner.

*Proviso.*  
Title of any owner to rolling-stock equipment.

"No plan shall be approved under this chapter unless the special court finds that with respect to the continuation of, or any change in, the voting rights in the petitioner, control of the petitioner, and the identity of, and the power and manner of selection of the persons who are to be directors, officers, or voting trustees, if any, upon the consummation of the plan and their respective successors, the plan makes full disclosure, is adequate, equitable, in the best interests of creditors and stockholders of each class, and consistent with public policy.

Findings by court as condition for approval.  
Protection of creditors and stockholders.

"SEC. 726. After the special court shall have approved as properly filed a petition pursuant to article III hereof, the special court, from time to time during the pendency of the proceedings hereunder, may enjoin the institution of, or stay, for a reasonable time, any action or proceeding to enforce any right against the petitioner or its property based upon claims affected by the proposed plan of adjustment in any court, State or Federal, whether for the enforcement of any such claim or for the appointment of receivers in equity or of the institution or prosecution of a proceeding under section 77 of the Bankruptcy Act or otherwise: *Provided, however*, That no such stay shall affect any proceeding based on or to enforce any claim which would be required to be paid if the plan of adjustment proposed by the petitioner were then in effect.

Stay of proceedings, injunctions, etc.  
*Ante*, p. 1135.

47 Stat. 1474.  
11 U. S. C. § 205; Supp. IV, § 205.  
*Proviso.*  
Claims required to be paid if plan then in effect.

"SEC. 727. Unless the plan of adjustment as submitted or as modified shall have been confirmed by the special court within one year from the date of filing the petition, the proceedings shall be dismissed unless, for good cause shown, on motion of any party in interest the court, if satisfied that confirmation of a plan is in immediate prospect shall determine otherwise.

Time limitation for confirmation.

Continuation of payments during pendency of proceeding.

*Proviso.*  
Payments not to constitute a preference.  
Dismissal for non-payment.

Adjustments to conform to approved plan.

Deposit, etc., of security.

"SEC. 728. Without prejudice to existing rights of all creditors, including those affected by the plan, and as a condition to the approval of any plan by the special court, the petitioner, from and after the filing of the petition with the court and until the making of a final order by the special court approving a plan or dismissing the petition, shall continue to make or tender payment to all creditors affected by the plan of sums currently payable to such creditors equal to the amounts proposed to be paid to such creditors under the plan: *Provided*, That the making of such payments shall not constitute a preference within the meaning of the Bankruptcy Act, nor shall acceptance of such payments constitute an acceptance of a plan. If, from and after the filing of the petition with the special court, there shall be any failure to make or tender such payments, the special court, unless there is good cause shown for the failure, shall dismiss the proceedings. In finally approving any plan, the court may make or require to be made such adjustments with respect to said payments or any of them as may be necessary to make the same conform to the provisions of said plan as finally approved.

"SEC. 729. In providing for any such payments the petitioner may require any bond or other security, including interest coupons affected by such payments to be presented to or deposited with a paying agent or depository named by the petitioner for appropriate stamping to show the amounts of such payment.

#### "ARTICLE VI—TAX PROVISIONS

Tax provisions.  
*Ante*, pp. 195, 196,  
424, 425, 862, 883.  
I. R. C. §§ 1801,  
1802, 3481, 3482.

Income, gain, etc., with respect to adjustment of indebtedness.

Transmittal of copies of papers to Secretary of Treasury.

"SEC. 735. The provisions of Sections 1801, 1802, 3481, and 3482 of the Internal Revenue Code and any amendments thereto, unless specifically providing to the contrary shall not apply to the issuance, transfer, or exchange of securities or the making or delivery of conveyances to make effective any plan of adjustment confirmed under the provisions of this chapter. No income, gain, or profit taxable under any law of the United States or of any State, now in force or hereafter enacted, shall in respect to the adjustment of the indebtedness of any petitioner in a proceeding under this chapter be deemed to have accrued to or to have been realized by such petitioner by reason of a modification of or cancelation in whole or in part of any of the indebtedness of the petitioner affected by a proceeding under this chapter.

"SEC. 736. In addition to the notices elsewhere expressly provided, the clerk of the court in which any proceedings under this chapter are pending shall forthwith transmit to the Secretary of the Treasury copies of—

- "(1) Every petition filed under this chapter;
- "(2) The orders approving or dismissing petitions;
- "(3) The orders approving plans as filed or as modified, together with copies of such plans as approved;
- "(4) The decrees approving and confirming plans and the adjustments provided thereby, together with copies of such plans as approved;
- "(5) The injunctions or other orders made under section 726 of this chapter;
- "(6) The orders dismissing proceedings under this chapter; and
- "(7) Such other papers filed in the proceedings as the Secretary of the Treasury may request or which the court may direct to be transmitted to him.

Notice of any order affecting Federal claims to Treasury.

"SEC. 737. Any order fixing the time for confirming a plan which affects claims or stock of the United States shall include a notice of not less than thirty days to the Secretary of the Treasury.

"SEC. 738. The special court shall have power to determine the amount and legality of claims of the United States for taxes or customs duties, and to order payment thereof; and the order of the special court (provided for in section 714) approving the petition shall have the effect of an adjudication of bankruptcy of the petitioner for the purposes of section 274 of the Internal Revenue Code and the corresponding provisions of prior and subsequent revenue acts. The running of the statute of limitations on the assessment or collection of any internal-revenue tax shall be suspended while a proceeding under this chapter is pending and until it is finally dismissed.

Taxes or customs duties, power of court to determine amount, etc.

Approval to have the effect of adjudication of bankruptcy.

*Ante*, p. 86.  
I. R. C. § 274.

#### "ARTICLE VII—INTERSTATE COMMERCE COMMISSION

"SEC. 740. If, in any application filed with the Commission pursuant to section 20a of the Interstate Commerce Act for authority to issue or modify securities, the applicant shall allege that the purpose in making such application is to enable it to file a petition under the provisions of this chapter, the Commission shall take final action on such application as promptly as possible, and in any event within one hundred and twenty days after the filing of such application, unless the Commission finds that a longer time, not exceeding sixty days is needed in the public interest.

Application to issue, etc., securities in order to file petition, action by Commission.

41 Stat. 494.  
49 U. S. C. § 20a.

#### "ARTICLE VIII—FINAL DECREE AND REVIEW

"SEC. 745. Any final order or decree of the special court may be reviewed by the Supreme Court of the United States upon application for certiorari made by any person affected by the plan who deems himself aggrieved within sixty days after the entry of such order or decree, pursuant to the provisions of the Federal Judicial Code.

Time limitation upon applications for certiorari.

"SEC. 746. In the decree approving and confirming the plan the court may require such reports of the action taken by the petitioner thereunder in the execution of the plan as may be necessary to a final disposition of the cause, and in its final decree disposing of the cause the court shall retain jurisdiction in the district court to the extent necessary to protect and enforce the rights of the parties under said plan and the orders of the court thereon.

Power of court to require reports of action taken by petitioner.

#### "ARTICLE IX—FILING RECORD WITH COMMISSION

"SEC. 750. The clerk of the court in which any proceedings under this chapter are pending, shall forthwith transmit to the Interstate Commerce Commission copies of all pleadings, petitions, motions, applications, orders, judgments, decrees and other papers in such proceedings filed with the court or entered therein, including copies of any transcripts of testimony, hearings or other proceedings that may be transcribed and filed in such proceedings together with copies of all exhibits, except to the extent that the court finds that compliance with this section would be impracticable.

Copies of records to be filed with Commission.

#### "ARTICLE X—TERMINATION OF JURISDICTION

"SEC. 755. The jurisdiction conferred upon any court by this chapter shall not be exercised by such court after July 31, 1940, except in respect of any proceeding initiated by filing a petition under section 710 hereof on or before July 31, 1940."

Termination of jurisdiction.

*Ante*, p. 1135.

Approved, July 28, 1939, 9:45 a. m., E. S. T.

## [CHAPTER 395]

## AN ACT

July 31, 1939  
[S. 770]  
[Public, No. 243]

Glacier National  
Park, Mont.  
Lands acquired for  
fish hatchery added  
to.

To authorize the addition to Glacier National Park, Montana, of certain property acquired for the establishment of a fish hatchery, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior is hereby authorized to administer as a part of the Glacier National Park, in the State of Montana, subject to all laws and regulations applicable thereto, the lands, or interests in lands, within the State of Montana, in township 28 north, range 20 west, Montana meridian, which may be acquired by the United States for the establishment by the National Park Service of a fish hatchery for restocking the waters of the said park.

Approved, July 31, 1939.

## [CHAPTER 396]

## AN ACT

July 31, 1939  
[H. R. 153]  
[Public, No. 244]

Copyrights.  
Provisions for reg-  
istration of prints and  
labels by Commis-  
sioner of Patents re-  
pealed, effective June  
30, 1940.  
18 Stat. 79.  
17 U. S. C. § 63.  
Continuance of un-  
expired copyrights.

35 Stat. 1077.  
17 U. S. C. § 5 (k).  
Commercial prints  
and labels.

Registration by  
Register of Copy-  
rights, effective July  
1, 1940.

Pending and un-  
cleared claims.

Return of applica-  
tions, fees, etc.

Copyright fee.

Subsisting copy-  
rights originally reg-  
istered in Patent Of-  
fice, renewal.

To transfer jurisdiction over commercial prints and labels, for the purpose of copyright registration, to the Register of Copyrights.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That effective at the close of business June 30, 1940, section 3 of the Act entitled "An Act to amend the law relating to patents, trade-marks, and copyrights", approved June 18, 1874 (17 U. S. C. 63), is hereby repealed, but all original or renewal copyrights effected thereunder shall continue in full force and effect for the balance of the respective unexpired terms, subject to all the rights and remedies accorded by existing copyright law.

SEC. 2. Section 5 (k) of the Act entitled "An Act to amend and consolidate the Acts respecting copyright" approved March 4, 1909, is hereby amended to read: "(k) Prints and pictorial illustrations including prints or labels used for articles of merchandise."

SEC. 3. That commencing July 1, 1940, the Register of Copyrights is charged with the registration of claims to copyright properly presented, in all prints and labels published in connection with the sale or advertisement of articles of merchandise, including all claims to copyright in prints and labels pending in the Patent Office and uncleared at the close of business June 30, 1940. All such pending applications and all fees which have been submitted or paid to or into the Patent Office for such pending applications, and all funds deposited and at the close of business June 30, 1940, held in the Patent Office to be applied to copyright business in that Office, shall be returned by the Commissioner of Patents to the applicants. There shall be paid for registering a claim of copyright in any such print or label not a trade-mark \$6, which sum shall cover the expense of furnishing a certificate of such registration, under the seal of the Copyright Office, to the claimant of copyright.

SEC. 4. Subsisting copyrights originally registered in the Patent Office prior to July 1, 1940, under the provision of law repealed by section 1 hereof, shall be subject to renewal in behalf of the proprietor upon application made to the Register of Copyrights within one year prior to the expiration of the original term of twenty-eight years.

Approved, July 31, 1939.

## [CHAPTER 397]

## AN ACT

To amend the Act entitled “An Act to classify officers and members of the Fire Department of the District of Columbia, and for other purposes.”

July 31, 1939  
[H. R. 1982]  
[Public, No. 245]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 5 of the Act entitled “An Act to classify officers and members of the Fire Department of the District of Columbia and for other purposes”, approved June 20, 1906, and amended January 24, 1920 (D. C. Code, title 20, part 2, sec. 557), is hereby amended by deleting the first sentence of the second paragraph thereof and inserting in its place the following provision: “No member of the Fire Department of the District of Columbia shall directly or indirectly engage in any strike of such department.”

District of Columbia.  
Fire Department.  
Restriction on members engaging in strikes.  
34 Stat. 315; 41 Stat. 398.  
20 D. C. Code § 557.

Approved, July 31, 1939.

## [CHAPTER 398]

## AN ACT

To amend the Act entitled “An Act to regulate steam and other operating engineering in the District of Columbia”, approved February 28, 1887, as amended.

July 31, 1939  
[H. R. 3834]  
[Public, No. 246]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 7 of the Act entitled “An Act to regulate steam and other operating engineering in the District of Columbia”, approved February 28, 1887, as amended, is amended to read as follows:

“SEC. 7. (a) The foregoing provisions of this Act shall not apply to engineers employed by the United States Government or licensed by the laws of any State having reciprocity with the District of Columbia.”

District of Columbia.  
Steam and other operating engineers.  
24 Stat. 427.  
20 D. C. Code § 367.  
License provisions not applicable to engineers employed by Federal Government, etc.

Approved, July 31, 1939.

## [CHAPTER 399]

## AN ACT

To amend section 1860 of the Revised Statutes, as amended (48 U. S. C. 1460), to permit retired officers and enlisted men of the Army, Navy, Marine Corps, and Coast Guard to hold civil office in any Territory of the United States.

July 31, 1939  
[S. 1116]  
[Public, No. 247]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the fourth clause of section 1860 of the Revised Statutes of the United States, as amended (48 U. S. C. 1460), is hereby further amended to read as follows:

“Fourth. No person belonging to the Army, Navy, Marine Corps, or Coast Guard shall be elected to or hold any civil office or appointment in any Territory, except officers and enlisted men of the Army, the Navy, the Marine Corps, or the Coast Guard on the retired list, and except officers of the Coast Guard who heretofore have been, or hereafter may be, appointed as United States Commissioners or United States Deputy Marshals in and for the Territory of Alaska.”

Territories of the United States.  
R. S. § 1860.  
48 U. S. C. § 1460.

Army, Navy, etc., retired personnel permitted to hold civil office or appointment in.

U. S. Commissioners, deputy marshals in Alaska.

Approved, July 31, 1939.



## [CHAPTER 400]

## AN ACT

July 31, 1939  
[H. R. 5660]  
[Public, No. 248]

To include Lafayette Park within the provisions of the Act entitled "An Act to regulate the height, exterior design, and construction of private and semipublic buildings in certain areas of the National Capital", approved May 16, 1930.

District of Colum-  
bia.

46 Stat. 366.  
40 U. S. C. § 121.  
Inclusion of Lafay-  
ette Park under zon-  
ing regulation.

Recommendations  
and action.

*Proviso.*  
Failure of Com-  
mission of Fine Arts  
to disapprove plans;  
issuance of permit.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the second sentence of section 1 of the Act entitled "An Act to regulate the height, exterior design, and construction of private and semipublic buildings in certain areas of the National Capital", approved May 16, 1930 (U. S. C., 1934 edition, title 40, sec. 121), is amended to read as follows: "To this end, hereafter when application is made for permit for the erection or alteration of any building, any portion of which is to front or abut upon the grounds of the Capitol, the grounds of the White House, the portion of Pennsylvania Avenue extending from the Capitol to the White House, Lafayette Park, Rock Creek Park, the Zoological Park, the Rock Creek and Potomac Parkway, Potomac Park, The Mall Park System and public buildings adjacent thereto, or abutting upon any street bordering any of said grounds or parks, the plans therefor, so far as they relate to height and appearance, color, and texture of the materials of exterior construction, shall be submitted by the Commissioners of the District of Columbia to the Commission of Fine Arts; and the said Commission shall report promptly to said Commissioners its recommendations, including such changes, if any, as in its judgment are necessary to prevent reasonably avoidable impairment of the public values belonging to such public building or park; and said Commissioners shall take such action as shall, in their judgment, effect reasonable compliance with such recommendation: *Provided*, That if the said Commission of Fine Arts fails to report its approval or disapproval of such plans within thirty days, its approval thereof shall be assumed and a permit may be issued."

Approved, July 31, 1939.

## [CHAPTER 401]

## AN ACT

July 31, 1939  
[H. R. 6503]  
[Public, No. 249]

Relating to the exchange of certain lands in the State of Oregon.

Oregon.  
Exchanges of certain  
revested and recon-  
veyed lands within,  
authorized.

50 Stat. 874.

39 Stat. 218.

40 Stat. 1179.

*Provisos.*  
Administration.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior, in the administration of the Act entitled "An Act relating to the revested Oregon and California Railroad and reconveyed Coos Bay Wagon Road grant lands situated in the State of Oregon", approved August 28, 1937 (50 Stat. 874), is hereby authorized and empowered, in his discretion, to exchange any land formerly granted to the Oregon and California Railroad Company, title to which was revested in the United States pursuant to the provisions of the Act of June 9, 1916 (39 Stat. 218), and any land granted to the State of Oregon, title to which was reconveyed to the United States by the Southern Oregon Company pursuant to the provisions of the Act of February 26, 1919 (40 Stat. 1179), for lands of approximately equal aggregate value held in private, State, or county ownership, either within or contiguous to the former limits of such grants, when by such action the Secretary of the Interior will be enabled to consolidate advantageously the holdings of lands of the United States: *Provided*, That all lands and timber secured by the United States pursuant to any such exchange shall be administered in accordance with the same provisions of law as such revested or reconveyed lands

exchanged therefor: *Provided further*, That either party to any such exchange may make reservations of easements, rights of use, and other interests and rights. No fee shall be charged for any such exchange with respect to land owned by the State of Oregon or any county thereof, except one-half of the cost of publishing notice of such proposed exchange.

SEC. 2. The Secretary of the Interior is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary to carry out the provisions of this Act.

SEC. 3. The Act of May 31, 1918 (40 Stat. 593), section 3 of the Act of June 4, 1920 (41 Stat. 758), and all other Acts or parts of Acts in conflict with the provisions of this Act, to the extent of such conflict, are hereby repealed.

Approved, July 31, 1939.

Reservations of easements, etc.

State - owned lands; fees for exchanges.

Administrative duties of Secretary of Interior.

Designated provisions repealed.  
40 Stat. 593; 41 Stat. 758.

[CHAPTER 408]

AN ACT

To increase the amount of Federal aid to State or Territorial homes for the support of disabled soldiers and sailors of the United States.

August 1, 1939  
[H. R. 4647]  
[Public, No. 250]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act entitled "An Act to provide aid to State or Territorial homes for the support of disabled soldiers and sailors of the United States", approved August 27, 1888, as amended (U. S. C., 1934 edition, title 24, sec. 134), is amended by striking out in the first paragraph thereof "\$120 per annum" and inserting in lieu thereof "\$240 per annum".

State or Territorial homes for disabled soldiers and sailors.  
Federal aid increased.  
25 Stat. 450.  
24 U. S. C. § 134.

SEC. 2. The amendment made by this Act shall apply to payments with respect to the care given to disabled soldiers and sailors on and after the first day of the month next following the month during which this Act is enacted: *Provided*, That said payments shall be made regardless of whether said veteran may be receiving domiciliary care or hospitalization in said home and the appropriations of the Veterans' Administration for medical, hospital, and domiciliary care shall be available for this purpose: *Provided further*, That no payment to a State or Territory under this Act shall be made for any period prior to the date upon which the Administrator of Veterans' Affairs determines that the veteran on whose account such payment is requested is eligible for such care in a Veterans' Administration facility.

Effective date.

*Provisos.*  
Payments not barred because of domiciliary care, etc.

No payments prior to determination of eligibility.

Approved, August 1, 1939.

[CHAPTER 409]

AN ACT

To provide for the registry of pursers and surgeons as staff officers on vessels of the United States, and for other purposes.

August 1, 1939  
[H. R. 6076]  
[Public, No. 251]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That there shall be registered staff officers in the United States merchant marine in the following grades: (1) Chief purser, (2) purser, (3) senior assistant purser, (4) junior assistant purser, and (5) surgeon. The Secretary of Commerce (in this Act called the Secretary) shall register, and issue certificates of registry to, qualified individuals applying for registry in such grades, as hereinafter provided, and every such individual when so registered and serving in the staff department on a vessel of the United States shall rank as a staff officer on such vessel.

Merchant marine.  
Registry of pursers and surgeons as staff officers; grades.

To constitute a separate department; pursers' clerks included.

Registered chief pursers.

Registered senior assistants and junior assistants.  
Citizenship requirement.

Qualifications.

For registry as surgeons.

Oath of office.

Staff officers members of Naval Reserve Corps, insignia on uniforms.

Prescribed type, etc.

Unlawful wearing.

Employment of unregistered staff officers unlawful; penalty.

*Proviso.*  
If no registered staff officer available at time of sailing.

Not included in inspection certificate.  
Penal provisions.  
Altering, etc., certificate of registry.

*Proviso.*  
Exceptions.

Officers registered under the provisions of this Act and pursers' clerks shall constitute a separate and independent department on vessels of the United States to be known as the staff department under the charge of the senior registered purser on such vessel, who shall be responsible solely to the master. On oceangoing vessels licensed to carry more than one hundred passengers, such officer in charge of the staff department shall be a registered chief purser; and whenever more than three persons are employed in the staff department on such vessels, exclusive of surgeons, there shall be a minimum of one registered senior assistant purser and one registered junior assistant purser in such staff department. No person shall be eligible for registry as a staff officer under the provisions of this Act who is not a citizen of the United States.

SEC. 2. No applicant for registry under the provisions of this Act shall be required to take an examination to qualify therefor, but the Secretary shall require satisfactory proof of good character, citizenship, and such minimum periods of service as he shall deem necessary to establish the requisite knowledge, skill, and experience to qualify applicants for the respective stations. Applicants for registry as surgeon shall be required to possess a valid license as physician and surgeon issued under the authority of a State or Territory of the United States or the District of Columbia.

SEC. 3. Each staff officer receiving a certificate of registry under the provisions of this Act shall make oath or affirmation before an officer empowered to administer oaths, to be designated by the Secretary, that he will faithfully and honestly perform all the duties required of him by law. No such staff officer shall be required to obtain any other certificate of service or efficiency or behavior as a condition of service in such capacity other than as herein provided.

SEC. 4. (a) Staff officers registered under the provisions of this Act who are members of the Naval Reserve Corps shall wear on their uniforms such special distinguishing insignia as may be approved by the Secretary of the Navy.

(b) The uniform stripes, decoration, or other insignia to be worn by such officers shall be of gold braid or woven gold or silver material, and no member of the ship's crew other than such staff officers shall be allowed to wear any uniform with such staff officer's identifying insignia.

SEC. 5. (a) It shall be unlawful to employ any person or for any person to serve in any grade or perform the duties of any grade specified in section 1 of this Act on any such vessel of the United States designated therein unless he shall be in bona fide possession of a certificate of registry, issued under the provisions of this Act, as an officer in such grade; and anyone violating this provision shall be liable to a penalty of \$100 for each offense: *Provided*, That in the event no registered staff officer is available and obtainable at the time of sailing, the vessel may sail with an unregistered staff officer or without any staff officer: *Provided further*, That such staff officer shall not be included in the vessel's inspection certificate.

(b) Any staff officer registered under the provisions of this Act who shall change by addition, interpolation, or erasure of any kind, any certificate of registry referred to in this section shall have his registry and his certificate of registry revoked and be punished by a fine of not more than \$100: *Provided*, That the provisions of this Act shall not apply to any vessel of the United States operated on bays, sounds, inland waterways, and lakes, other than the Great Lakes, or to passenger ferries and car ferries operated on the Great Lakes.

(c) Any registry or certificate of registry issued under the authority of this Act to any staff officer shall be suspended or revoked upon satisfactory proof of bad conduct, inattention to his duties, or the willful violation of any provisions of this Act applicable to him, in the same manner and with like procedure as is provided in the case of suspension or revocation of licenses of officers under the provisions of section 4450 of the Revised Statutes, as amended.

SEC. 6. The sixth paragraph of section 4596 of the Revised Statutes, as amended, is amended to read as follows:

“Sixth. For assaulting any master, mate, pilot, engineer, or staff officer, by imprisonment for not more than two years.”

SEC. 7. The Secretary of Commerce shall prescribe rules and regulations to carry out the provisions of this Act.

SEC. 8. As used in this Act the term “vessel of the United States” shall mean any vessel registered, enrolled, or licensed under the laws of the United States, but shall not include a fishing or whaling vessel or a yacht.

SEC. 9. The provisions of section 5 (a) of this Act shall take effect one year from the date of the enactment of this Act.

Approved, August 1, 1939.

Misconduct, etc.

R. S. § 4450.  
46 U. S. C. § 239;  
Supp. IV, § 239(d)-(g).  
R. S. § 4596.  
46 U. S. C. § 701.

Assault on master,  
etc.

Rules and regula-  
tions.

Term construed.

Effective date of sec-  
tion 5 (a) provisions.

#### [CHAPTER 410]

#### AN ACT

To prevent pernicious political activities.

August 2, 1939

[S. 1871]

[Public, No. 252]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That it shall be unlawful for any person to intimidate, threaten, or coerce, or to attempt to intimidate, threaten, or coerce, any other person for the purpose of interfering with the right of such other person to vote or to vote as he may choose, or of causing such other person to vote for, or not to vote for, any candidate for the office of President, Vice President, Presidential elector, Member of the Senate, or Member of the House of Representatives at any election held solely or in part for the purpose of selecting a President, a Vice President, a Presidential elector, or any Member of the Senate or any Member of the House of Representatives, Delegates or Commissioners from the Territories and insular possessions.

SEC. 2. It shall be unlawful for any person employed in any administrative position by the United States, or by any department, independent agency, or other agency of the United States (including any corporation controlled by the United States or any agency thereof, and any corporation all of the capital stock of which is owned by the United States or any agency thereof), to use his official authority for the purpose of interfering with, or affecting the election or the nomination of any candidate for the office of President, Vice President, Presidential elector, Member of the Senate, or Member of the House of Representatives, Delegates or Commissioners from the Territories and insular possessions.

SEC. 3. It shall be unlawful for any person, directly or indirectly, to promise any employment, position, work, compensation, or other benefit, provided for or made possible in whole or in part by any Act of Congress, to any person as consideration, favor, or reward for any political activity or for the support of or opposition to any candidate or any political party in any election.

SEC. 4. Except as may be required by the provisions of subsection (b), section 9 of this Act, it shall be unlawful for any person to deprive, attempt to deprive, or threaten to deprive, by any means, any

Prevention of per-  
nicious political ac-  
tivities.

Elections of Fed-  
eral officials, includ-  
ing Presidential elec-  
tors.

Intimidation or co-  
ercion of voters un-  
lawful.

Use of official au-  
thority by anyone in  
administrative posi-  
tion for purpose of  
interfering with elec-  
tion unlawful.

Promise of benefit as  
reward for support of  
or opposition to a  
candidate or political  
party.

Race, creed, etc.,  
discrimination in work  
relief or relief forbid-  
den.

person of any employment, position, work, compensation, or other benefit provided for or made possible by any Act of Congress appropriating funds for work relief or relief purposes, on account of race, creed, color, or any political activity, support of, or opposition to any candidate or any political party in any election.

Contributions, etc., for political purposes from persons receiving work relief or relief benefit forbidden.

SEC. 5. It shall be unlawful for any person to solicit or receive or be in any manner concerned in soliciting or receiving any assessment, subscription, or contribution for any political purpose whatever from any person known by him to be entitled to or receiving compensation, employment, or other benefit provided for or made possible by any Act of Congress appropriating funds for work relief or relief purposes.

Disclosure of lists or names of persons on relief, for political purposes, unlawful.

SEC. 6. It shall be unlawful for any person for political purposes to furnish or to disclose, or to aid or assist in furnishing or disclosing, any list or names of persons receiving compensation, employment, or benefits provided for or made possible by any Act of Congress appropriating, or authorizing the appropriation of, funds for work relief or relief purposes, to a political candidate, committee, campaign manager, or to any person for delivery to a political candidate, committee, or campaign manager, and it shall be unlawful for any person to receive any such list or names for political purposes.

Receipt of list unlawful.

Relief, etc., funds, providing loans for public-works projects, use to coerce or restrain voters forbidden.

SEC. 7. No part of any appropriation made by any Act, heretofore or hereafter enacted, making appropriations for work relief, relief, or otherwise to increase employment by providing loans and grants for public-works projects, shall be used for the purpose of, and no authority conferred by any such Act upon any person shall be exercised or administered for the purpose of, interfering with, restraining, or coercing any individual in the exercise of his right to vote at any election.

Penalty for violation.

SEC. 8. Any person who violates any of the foregoing provisions of this Act upon conviction thereof shall be fined not more than \$1,000 or imprisoned for not more than one year, or both.

Executive departments, etc.  
Interference by employee of, in an election forbidden.

SEC. 9. (a) It shall be unlawful for any person employed in the executive branch of the Federal Government, or any agency or department thereof, to use his official authority or influence for the purpose of interfering with an election or affecting the result thereof. No officer or employee in the executive branch of the Federal Government, or any agency or department thereof, shall take any active part in political management or in political campaigns. All such persons shall retain the right to vote as they may choose and to express their opinions on all political subjects. For the purposes of this section the term "officer" or "employee" shall not be construed to include (1) the President and Vice President of the United States; (2) persons whose compensation is paid from the appropriation for the office of the President; (3) heads and assistant heads of executive departments; (4) officers who are appointed by the President, by and with the advice and consent of the Senate, and who determine policies to be pursued by the United States in its relations with foreign powers or in the Nation-wide administration of Federal laws.

Taking any active part in political management or campaigns.

Exceptions.

President and Vice President, and Executive Office personnel.

Heads, etc., of departments.

Policy-determining officers.

Penalty for violation.

(b) Any person violating the provisions of this section shall be immediately removed from the position or office held by him, and thereafter no part of the funds appropriated by any Act of Congress for such position or office shall be used to pay the compensation of such person.

Membership in party or organization advocating overthrow of our constitutional form of government unlawful.

SEC. 9A. (1) It shall be unlawful for any person employed in any capacity by any agency of the Federal Government, whose compensation, or any part thereof, is paid from funds authorized or appropriated by any Act of Congress, to have membership in any political party or organization which advocates the overthrow of our constitutional form of government in the United States.

(2) Any person violating the provisions of this section shall be immediately removed from the position or office held by him, and thereafter no part of the funds appropriated by any Act of Congress for such position or office shall be used to pay the compensation of such person.

Penalty for violation.

SEC. 10. All provisions of this Act shall be in addition to, not in substitution for, of existing law.

Provisions supplementary to existing law.

SEC. 11. If any provision of this Act, or the application of such provision to any person or circumstance, is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Saving clause.

Approved, August 2, 1939, 11:50 a. m., E. S. T.

# [CHAPTER 411]

## AN ACT

To provide for the regulation of the sale of certain securities in interstate and foreign commerce and through the mails, and the regulation of the trust indentures under which the same are issued, and for other purposes.

August 3, 1939

[S. 2065]

[Public, No. 253]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to provide full and fair disclosure of the character of securities sold in interstate and foreign commerce and through the mails, and to prevent frauds in the sale thereof, and for other purposes", approved May 27, 1933, as amended, is amended by adding at the end thereof the following:*

48 Stat. 74.  
15 U. S. C. §§ 77a-77mm; Supp. IV, ch. 2A.

## "TITLE III

### "SHORT TITLE

"SEC. 301. This title, divided into sections as follows, may be cited as the 'Trust Indenture Act of 1939':

Trust Indenture Act of 1939.

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#### "NECESSITY FOR REGULATION"

Necessity for regulation declared.

48 Stat. 909.  
15 U. S. C. § 78jj.

"SEC. 302. (a) Upon the basis of facts disclosed by the reports of the Securities and Exchange Commission made to the Congress pursuant to section 211 of the Securities Exchange Act of 1934 and otherwise disclosed and ascertained, it is hereby declared that the national public interest and the interest of investors in notes, bonds, debentures, evidences of indebtedness, and certificates of interest or participation therein, which are offered to the public, are adversely affected—

"(1) when the obligor fails to provide a trustee to protect and enforce the rights and to represent the interests of such investors, notwithstanding the fact that (A) individual action by such investors for the purpose of protecting and enforcing their rights is rendered impracticable by reason of the disproportionate expense of taking such action, and (B) concerted action by such investors in their common interest through representatives of their own selection is impeded by reason of the wide dispersion of such investors through many States, and by reason of the fact that information as to the names and addresses of such investors generally is not available to such investors;

"(2) when the trustee does not have adequate rights and powers, or adequate duties and responsibilities, in connection with matters relating to the protection and enforcement of the rights of such investors; when, notwithstanding the obstacles to concerted action by such investors, and the general and reasonable assumption by such investors that the trustee is under an affirmative duty to take action for the protection and enforcement of their rights, trust indentures (A) generally provide that the trustee shall be under no duty to take any such action, even in the event of default, unless it receives notice of default, demand for action, and indemnity, from the holders of substantial percentages of the securities outstanding thereunder, and (B) generally relieve the trustee from liability even for its own negligent action or failure to act;

"(3) when the trustee does not have resources commensurate with its responsibilities, or has any relationship to or connection with the obligor or any underwriter of any securities of the obligor, or holds, beneficially or otherwise, any interest in the obligor or any such underwriter, which relationship, connection, or interest involves a material conflict with the interests of such investors;

"(4) when the obligor is not obligated to furnish to the trustee under the indenture and to such investors adequate current information as to its financial condition, and as to the performance of its obligations with respect to the securities outstanding under such indenture; or when the communication of such information to such investors is impeded by the fact that information as to

the names and addresses of such investors generally is not available to the trustee and to such investors;

"(5) when the indenture contains provisions which are misleading or deceptive, or when full and fair disclosure is not made to prospective investors of the effect of important indenture provisions; or

"(6) when, by reason of the fact that trust indentures are commonly prepared by the obligor or underwriter in advance of the public offering of the securities to be issued thereunder, such investors are unable to participate in the preparation thereof, and, by reason of their lack of understanding of the situation, such investors would in any event be unable to procure the correction of the defects enumerated in this subsection.

"(b) Practices of the character above enumerated have existed to such an extent that, unless regulated, the public offering of notes, bonds, debentures, evidences of indebtedness, and certificates of interest or participation therein, by the use of means and instruments of transportation and communication in interstate commerce and of the mails, is injurious to the capital markets, to investors, and to the general public; and it is hereby declared to be the policy of this title, in accordance with which policy all the provisions of this title shall be interpreted, to meet the problems and eliminate the practices, enumerated in this section, connected with such public offerings.

#### "DEFINITIONS

"SEC. 303. When used in this title, unless the context otherwise requires—

"(1) Any term defined in section 2 of the Securities Act of 1933, as heretofore amended, and not otherwise defined in this section, shall have the meaning assigned to such term in such section 2.

"(2) The term 'sale' or 'sell' shall include all transactions included in such term as provided in paragraph (3) of section 2 of the Securities Act of 1933, as heretofore amended, except that a sale of a certificate of interest or participation shall be deemed a sale of the security or securities in which such certificate evidences an interest or participation if and only if such certificate gives the holder thereof the right to convert the same into such security or securities.

"(3) The term 'prospectus' shall have the meaning assigned to such term in paragraph (10) of section 2 of the Securities Act of 1933, as heretofore amended, except that in the case of securities which are not registered under the Securities Act of 1933, such term shall not include any communication (A) if it is proved that prior to or at the same time with such communication a written statement meeting the requirements of subsection (c) of section 305 was sent or given to the persons to whom the communication was made, by the person making such communication or his principal, or (B) if such communication states from whom such statement may be obtained and, in addition, does no more than identify the security, state the price thereof, and state by whom orders will be executed.

"(4) The term 'underwriter' means any person who has purchased from an issuer with a view to, or sells for an issuer in connection with, the distribution of any security, or participates or has a direct or indirect participation in any such undertaking, or participates or has a participation in the direct or indirect underwriting of any such undertaking; but such term shall not include a person whose interest is limited to a commission from an underwriter or dealer not in excess of the usual and customary distributors' or sellers' commission.

"(5) The term 'director' means any director of a corporation, or any individual performing similar functions with respect to any organization whether incorporated or unincorporated.

#### Definitions.

Application of terms defined in Securities Act of 1933.

48 Stat. 74.  
15 U. S. C. § 77b.  
"Sale" or "sell."

#### Exception.

"Prospectus."

#### Exception.

"Underwriter."

#### Exception.

"Director."



"Executive officer."	"(6) The term 'executive officer' means the president, every vice president, every trust officer, the cashier, the secretary, and the treasurer of a corporation, and any individual customarily performing similar functions with respect to any organization whether incorporated or unincorporated, but shall not include the chairman of the board of directors.
Exception.	
"Indenture."	"(7) The term 'indenture' means any mortgage, deed of trust, trust or other indenture, or similar instrument or agreement (including any supplement or amendment to any of the foregoing), under which securities are outstanding or are to be issued, whether or not any property, real or personal, is, or is to be, pledged, mortgaged, assigned, or conveyed thereunder.
"Application" or "application for qualification."	"(8) The term 'application' or 'application for qualification' means the application provided for in section 307, and includes any amendment thereto and any report, document, or memorandum accompanying such application or incorporated therein by reference.
"Indenture to be qualified."	"(9) The term 'indenture to be qualified' means (A) the indenture under which there has been or is to be issued a security in respect of which a particular registration statement has been filed, or (B) the indenture in respect of which a particular application has been filed.
"Indenture trustee."	"(10) The term 'indenture trustee' means each trustee under the indenture to be qualified, and each successor trustee.
"Indenture security."	"(11) The term 'indenture security' means any security issued or issuable under the indenture to be qualified.
"Obligor."	"(12) The term 'obligor', when used with respect to any such indenture security, means every person who is liable thereon, and, if such security is a certificate of interest or participation, such term means also every person who is liable upon the security or securities in which such certificate evidences an interest or participation; but such term shall not include the trustee under an indenture under which certificates of interest or participation, equipment trust certificates, or like securities are outstanding.
Exception.	
"Paying agent."	"(13) The term 'paying agent', when used with respect to any such indenture security, means any person authorized by an obligor thereon (A) to pay the principal of or interest on such security on behalf of such obligor, or (B) if such security is a certificate of interest or participation, equipment trust certificate, or like security, to make such payment on behalf of the trustee.
"State."	"(14) The term 'State' means any State of the United States.
"Commission."	"(15) The term 'Commission' means the Securities and Exchange Commission.
"Voting security."	"(16) The term 'voting security' means any security presently entitling the owner or holder thereof to vote in the direction or management of the affairs of a person, or any security issued under or pursuant to any trust, agreement, or arrangement whereby a trustee or trustees or agent or agents for the owner or holder of such security are presently entitled to vote in the direction or management of the affairs of a person; and a specified percentage of the voting securities of a person means such amount of the outstanding voting securities of such person as entitles the holder or holders thereof to cast such specified percentage of the aggregate votes which the holders of all the outstanding voting securities of such person are entitled to cast in the direction or management of the affairs of such person.
Designated Acts to refer to amended form. 15 U. S. C. chs. 2A, 2B; Supp. IV, chs. 2A, 2B, 2C.	"(17) The terms 'Securities Act of 1933', 'Securities Exchange Act of 1934', and 'Public Utility Holding Company Act of 1935' shall be deemed to refer, respectively, to such Acts, as amended, whether amended prior to or after the enactment of this title.

“(18) The term ‘Bankruptcy Act’ means the Act entitled ‘An Act to establish a uniform system of bankruptcy throughout the United States’, approved July 1, 1898, as amended, whether amended prior to or after the enactment of this title.

Term “Bankruptcy Act” construed.  
11 U. S. C., § 11 U. S. C., Supp. IV.

#### “EXEMPTED SECURITIES AND TRANSACTIONS

“SEC. 304. (a) The provisions of this title shall not apply to any of the following securities:

Exempted securities and transactions.

“(1) any security other than (A) a note, bond, debenture, or evidence of indebtedness, whether or not secured, or (B) a certificate of interest or participation in any such note, bond, debenture, or evidence of indebtedness, or (C) a temporary certificate for, or guarantee of, any such note, bond, debenture, evidence of indebtedness, or certificate;

Types exempt.

“(2) any certificate of interest or participation in two or more securities having substantially different rights and privileges, or a temporary certificate for any such certificate;

Certificates of interest, etc.

“(3) any security which, prior to or within six months after the enactment of this title, has been sold or disposed of by the issuer or bona fide offered to the public, but this exemption shall not apply to any new offering of any such security by an issuer subsequent to such six months;

Prior sale.

“(4) any security exempted from the provisions of the Securities Act of 1933, as heretofore amended, by paragraph (2), (3), (4), (5), (6), (7), (8), or (11) of subsection 3 (a) thereof;

New offering excluded.

“(5) any security issued under a mortgage indenture as to which a contract of insurance under the National Housing Act is in effect; and any such security shall be deemed to be exempt from the provisions of the Securities Act of 1933 to the same extent as though such security were specifically enumerated in section 3 (a) (2) of such Act;

Security exempted from registration under Securities Act of 1933.

“(6) any note, bond, debenture, or evidence of indebtedness issued or guaranteed by a foreign government or by a subdivision, department, municipality, agency, or instrumentality thereof;

Security under mortgage indenture as to which insurance under National Housing Act is in effect.  
12 U. S. C. ch. 13; Supp. IV, ch. 13.

“(7) any guarantee of any security which is exempted by this subsection;

Obligations of foreign governments, subdivisions, etc.

“(8) any security which has been or is to be issued otherwise than under an indenture, but this exemption shall not be applied within a period of twelve consecutive months to more than \$250,000 aggregate principal amount of any securities of the same issuer; or

Guarantee of any security exempted by this subsection.

“(9) any security which has been or is to be issued under an indenture which limits the aggregate principal amount of securities at any time outstanding thereunder to \$1,000,000 or less, but this exemption shall not be applied within a period of thirty-six consecutive months to more than \$1,000,000 aggregate principal amount of securities of the same issuer.

Security other than under an indenture; limitation.

Where indenture limits total outstanding to \$1,000,000 or less.

In computing the aggregate principal amount of securities to which the exemptions provided by paragraphs (8) and (9) may be applied, securities to which the provisions of sections 305 and 306 would not have applied, irrespective of the provisions of those paragraphs, shall be disregarded.

“(b) The provisions of sections 305 and 306 shall not apply (1) to any of the transactions exempted from the provisions of section 5 of the Securities Act of 1933 by section 4 thereof, as heretofore amended, or (2) to any transaction which would be so exempted but for the last sentence of paragraph (11) of section 2 of such Act.

Transactions disregarded.

48 Stat. 77.  
15 U. S. C. §§ 77d, 77e; Supp. IV, § 77e.  
48 Stat. 75.  
15 U. S. C. 77b (11).

Application by issuer for exemption of offerings of certain securities.

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Securities issued by a person organized under foreign government laws, etc.

Registration statement to include designated items.

48 Stat. 78.  
15 U. S. C. § 77g;  
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Analysis of indenture provisions with respect to default.

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Evidence.

Segregation of information and documents.

Designated sections inapplicable.  
48 Stat. 82, 84, 87.  
15 U. S. C. §§ 77k, l,  
q, x.

Refusal to permit registration statement to become effective if not conforming to requirements.

"(c) The Commission shall, on application by the issuer and after opportunity for hearing thereon, by order exempt from any one or more provisions of this title any security issued or proposed to be issued under any indenture under which, at the time such application is filed, securities referred to in paragraph (3) of subsection (a) of this section are outstanding, if and to the extent that the Commission finds that compliance with such provision or provisions, through the execution of a supplemental indenture or otherwise—

"(1) would require, by reason of the provisions of such indenture, or the provisions of any other indenture or agreement made prior to the enactment of this title, or the provisions of any applicable law, the consent of the holders of securities outstanding under any such indenture or agreement; or

"(2) would impose an undue burden on the issuer, having due regard to the public interest and the interests of investors.

"(d) The Commission may, on application by the issuer and after opportunity for hearing thereon, by order exempt from any one or more of the provisions of this title any security issued or proposed to be issued by a person organized and existing under the laws of a foreign government or a political subdivision thereof, if and to the extent that the Commission finds that compliance with such provision or provisions is not necessary in the public interest and for the protection of investors.

#### "SECURITIES REQUIRED TO BE REGISTERED UNDER SECURITIES ACT

"SEC. 305. (a) Subject to the provisions of section 304, a registration statement relating to a security shall include the following information and documents, as though such inclusion were required by the provisions of section 7 of the Securities Act of 1933—

"(1) such information and documents as the Commission may by rules and regulations prescribe in order to enable the Commission to determine whether any person designated to act as trustee under the indenture under which such security has been or is to be issued is eligible to act as such under subsection (a) of section 310 or has a conflicting interest as defined in subsection (b) of section 310; and

"(2) an analysis of any provisions of such indenture with respect to (A) the definition of what shall constitute a default under such indenture, and the withholding of notice to the indenture security holders of any such default, (B) the authentication and delivery of the indenture securities and the application of the proceeds thereof, (C) the release or the release and substitution of any property subject to the lien of the indenture, (D) the satisfaction and discharge of the indenture, and (E) the evidence required to be furnished by the obligor upon the indenture securities to the trustee as to compliance with the conditions and covenants provided for in such indenture.

The information and documents required by paragraph (1) of this subsection with respect to the person designated to act as indenture trustee shall be contained in a separate part of such registration statement, which part shall be signed by such person. Such part of the registration statement shall be deemed to be a document filed pursuant to this title, and the provisions of sections 11, 12, 17, and 24 of the Securities Act of 1933 shall not apply to statements therein or omissions therefrom.

"(b) The Commission shall issue an order prior to the effective date of registration refusing to permit such a registration statement to become effective, if it finds that—

"(1) the security to which such registration statement relates has not been or is not to be issued under an indenture;

"(2) such indenture does not conform to the requirements of sections 310 to 318, inclusive; or

"(3) any person designated as trustee under such indenture is not eligible to act as such under subsection (a) of section 310 or has any conflicting interest as defined in subsection (b) of section 310;

but no such order shall be issued except after notice and opportunity for hearing within the periods and in the manner required with respect to refusal orders pursuant to section 8 (b) of the Securities Act of 1933. If and when the Commission deems that the objections on which such order was based have been met, the Commission shall enter an order rescinding such refusal order, and the registration shall become effective at the time provided in section 8 (a) of the Securities Act of 1933, or upon the date of such rescission, whichever shall be the later.

"(c) A prospectus relating to any such security shall include, as though such inclusion were required by section 10 of the Securities Act of 1933, a written statement containing the analysis, set forth in the registration statement, of any indenture provisions with respect to the matters specified in paragraph (2) of subsection (a) of this section, together with a supplementary analysis, prepared by the Commission, of such provisions and of the effect thereof, if, in the opinion of the Commission, the inclusion of such supplementary analysis is necessary or appropriate in the public interest or for the protection of investors, and the Commission so declares by order after notice and, if demanded by the issuer, opportunity for hearing thereon. Such order shall be entered prior to the effective date of registration, except that if opportunity for hearing thereon is demanded by the issuer such order shall be entered within a reasonable time after such opportunity for hearing.

"(d) The provisions of sections 11, 12, 17, and 24 of the Securities Act of 1933, and the provisions of sections 323 and 325 of this title, shall not apply to statements in or omissions from any analysis required under the provisions of this section or section 306 or 307.

#### "SECURITIES NOT REGISTERED UNDER SECURITIES ACT

"SEC. 306. (a) In the case of any security which is not registered under the Securities Act of 1933 and to which this subsection is applicable notwithstanding the provisions of section 304, unless such security has been or is to be issued under an indenture and an application for qualification is effective as to such indenture, it shall be unlawful for any person, directly or indirectly—

"(1) to make use of any means or instruments of transportation or communication in interstate commerce or of the mails to sell such security through the use or medium of any prospectus or otherwise; or

"(2) to carry or cause to be carried through the mails or in interstate commerce, by any means or instruments of transportation, any such security for the purpose of sale or for delivery after sale.

"(b) In the case of any security which is not registered under the Securities Act of 1933, but which has been or is to be issued under an indenture as to which an application for qualification is effective, it shall be unlawful for any person, directly or indirectly—

"(1) to make use of any means or instruments of transportation or communication in interstate commerce or of the mails to carry or transmit any prospectus relating to any such security, unless such prospectus includes or is accompanied by a written statement that meets the requirements of subsection (c) of section 305; or

Opportunity for hearing.

48 Stat. 79.  
15 U. S. C. § 77h.

Prospectus relating to such security, contents.

48 Stat. 81.  
15 U. S. C. § 77j.

Preparation of supplementary analysis.

Inapplicable provisions.

43 Stat. 82, 84, 87.  
15 U. S. C. §§ 77k, l, q, x.  
*Post*, pp. 1176, 1177.

Application.

Prohibitions affecting interstate commerce and the mails.

Transmission of prospectus, etc.

Transporting of such security for sale or delivery after sale.

Unregistered securities issued, etc., under indenture to which application for qualification effective. Unlawful acts.

Transmittal of prospectus; exception.

Carrying, for sale or delivery after sale.

"(2) to carry or to cause to be carried through the mails or in interstate commerce any such security for the purpose of sale or for delivery after sale, unless accompanied or preceded by a written statement that meets the requirements of subsection (c) of section 305.

**"QUALIFICATION OF INDENTURES COVERING SECURITIES NOT REQUIRED TO BE REGISTERED**

Qualification of indentures covering securities not required to be registered.

"SEC. 307. (a) In the case of any security which is not required to be registered under the Securities Act of 1933 and to which subsection (a) of section 306 is applicable notwithstanding the provisions of section 304, an application for qualification of the indenture under which such security has been or is to be issued shall be filed with the Commission by the issuer of such security. Each such application shall be in such form, and shall be signed in such manner, as the Commission may by rules and regulations prescribe as necessary or appropriate in the public interest or for the protection of investors. Each such application shall include the information and documents required by subsection (a) of section 305. The information and documents required by paragraph (1) of such subsection with respect to the person designated to act as indenture trustee shall be contained in a separate part of such application, which part shall be signed by such person. Each such application shall also include such of the other information and documents which would be required to be filed in order to register such indenture security under the Securities Act of 1933 as the Commission may by rules and regulations prescribe as necessary or appropriate in the public interest or for the protection of investors. An application may be withdrawn by the applicant at any time prior to the effective date thereof. Subject to the provisions of section 321, the information and documents contained in or filed with any application shall be made available to the public under such regulations as the Commission may prescribe, and copies thereof, photostatic or otherwise, shall be furnished to every applicant therefor at such reasonable charge as the Commission may prescribe.

Application form, etc.

Inclusion of other information and documents.

Withdrawal permitted.  
Availability of registration information.  
*Post*, p. 1174.

Application effective on filing, etc.

Filing fee.

"(b) The filing with the Commission of an application, or of an amendment to an application, shall be deemed to have taken place upon the receipt thereof by the Commission, but, in the case of an application, only if it is accompanied or preceded by payment to the Commission of a filing fee in the amount of \$100, such payment to be made in cash or by United States postal money order or certified or bank check, or in such other medium of payment as the Commission may authorize by rule and regulation.

Period for qualification.  
48 Stat. 79.  
15 U. S. C. § 77h.

"(c) The provisions of section 8 of the Securities Act of 1933 and the provisions of subsection (b) of section 305 of this title shall apply with respect to every such application, as though such application were a registration statement filed pursuant to the provisions of such Act.

**"INTEGRATION OF PROCEDURE WITH SECURITIES ACT AND OTHER ACTS**

Integration of procedure with other Acts.

"SEC. 308. (a) The Commission, by such rules and regulations or orders as it deems necessary or appropriate in the public interest or for the protection of investors, shall authorize the filing of any information or documents required to be filed with the Commission under this title, or under the Securities Act of 1933, the Securities Exchange Act of 1934, or the Public Utility Holding Company Act of 1935, by incorporating by reference any information or documents on file with the Commission under this title or under any such Act.

15 U. S. C. chs. 2A, 2B; Supp. IV, chs. 2A, 2B, 2C.

“(b) The Commission, by such rules and regulations or orders as it deems necessary or appropriate in the public interest or for the protection of investors, shall provide for the consolidation of applications, reports, and proceedings under this title with registration statements, applications, reports, and proceedings under the Securities Act of 1933, the Securities Exchange Act of 1934, or the Public Utility Holding Company Act of 1935.

Consolidation of applications, reports, etc.

“WHEN QUALIFICATION BECOMES EFFECTIVE; EFFECT OF QUALIFICATION

“SEC. 309. (a) The indenture under which a security has been or is to be issued shall be deemed to have been qualified under this title—

When qualification becomes effective.

“(1) when registration becomes effective as to such security; or

“(2) when an application for the qualification of such indenture becomes effective, pursuant to section 307.

“(b) After qualification has become effective as to the indenture under which a security has been or is to be issued, no stop order shall be issued pursuant to section 8 (d) of the Securities Act of 1933, suspending the effectiveness of the registration statement relating to such security or of the application for qualification of such indenture, except on one or more of the grounds specified in section 8 of such Act.

Limitation on issuance of stop order.

48 Stat. 79.  
15 U. S. C. § 77h (d).

“(c) The making, amendment, or rescission of a rule, regulation, or order under the provisions of this title (except to the extent authorized by subsection (a) of section 314 with respect to rules and regulations prescribed pursuant to such subsection) shall not affect the qualification, form, or interpretation of any indenture as to which qualification became effective prior to the making, amendment, or rescission of such rule, regulation, or order.

Indenture not affected by subsequent rule, etc.; exception.  
*Post*, p. 1167.

“(d) No trustee under an indenture which has been qualified under this title shall be subject to any liability because of any failure of such indenture to comply with any of the provisions of this title, or any rule, regulation, or order thereunder.

Liability of trustee for noncompliance of indenture.

“(e) Nothing in this title shall be construed as empowering the Commission to conduct an investigation or other proceeding for the purpose of determining whether the provisions of an indenture which has been qualified under this title are being complied with, or to enforce such provisions.

Powers of Commission to enforce provisions of indenture.

“ELIGIBILITY AND DISQUALIFICATION OF TRUSTEE

“Persons Eligible for Appointment as Trustee

“SEC. 310. (a) (1) The indenture to be qualified shall require that there shall at all times be one or more trustees thereunder, at least one of whom shall at all times be a corporation organized and doing business under the laws of the United States or of any State or Territory or of the District of Columbia (referred to in this title as the institutional trustee), which (A) is authorized under such laws to exercise corporate trust powers, and (B) is subject to supervision or examination by Federal, State, Territorial, or District of Columbia authority.

At least one trustee under the indenture to be government supervised corporation.

“(2) The indenture to be qualified shall require that such institutional trustee shall have at all times a combined capital and surplus of a specified minimum amount, which shall not be less than \$150,000. If such institutional trustee publishes reports of condition at least annually, pursuant to law or to the requirements of said supervising or examining authority, the indenture may provide that, for the purposes of this paragraph, the combined capital and surplus of

Institutional trustee, financial status.

Evidence of.

such trustee shall be deemed to be its combined capital and surplus as set forth in its most recent report of condition so published.

Co-trustees.

"(3) If the indenture to be qualified requires or permits the appointment of one or more co-trustees in addition to such institutional trustee, such indenture shall provide that the rights, powers, duties, and obligations conferred or imposed upon the trustees or any of them shall be conferred or imposed upon and exercised or performed by such institutional trustee, or such institutional trustee and such co-trustees jointly, except to the extent that under any law of any jurisdiction in which any particular act or acts are to be performed, such institutional trustee shall be incompetent or unqualified to perform such act or acts, in which event such rights, powers, duties, and obligations shall be exercised and performed by such co-trustees.

Rights of trustee in case of certificates of interest.

"(4) In the case of certificates of interest or participation, the indenture to be qualified shall require that the indenture trustee or trustees have the legal power to exercise all of the rights, powers, and privileges of a holder of the security or securities in which such certificates evidence an interest or participation.

#### "Disqualification of Trustee

Disqualification of trustee.

Conflicting interest.

Failure to comply with certain provisions.

Petition for removal.

Trusteeship under another indenture made by same obligor; exceptions.

Proviso. Qualifying provisions.

"(b) The indenture to be qualified shall provide that if any indenture trustee has or shall acquire any conflicting interest as hereinafter defined, (i) such trustee shall, within ninety days after ascertaining that it has such conflicting interest, either eliminate such conflicting interest or resign, such resignation to become effective upon the appointment of a successor trustee and such successor's acceptance of such appointment, and the obligor upon the indenture securities shall take prompt steps to have a successor appointed in the manner provided in the indenture; and (ii) in the event that such trustee shall fail to comply with the provisions of clause (i) of this subsection, such trustee shall, within ten days after the expiration of such ninety-day period, transmit notice of such failure to the indenture security holders in the manner and to the extent provided in subsection (c) of section 313; and (iii) subject to the provisions of subsection (e) of section 315, any security holder who has been a bona fide holder of indenture securities for at least six months may, on behalf of himself and all others similarly situated, petition any court of competent jurisdiction for the removal of such trustee, and the appointment of a successor, if such trustee fails, after written request therefor by such holder, to comply with the provisions of clause (i) of this subsection. For the purposes of this subsection, an indenture trustee shall be deemed to have a conflicting interest if—

"(1) such trustee is trustee under another indenture under which any other securities, or certificates of interest or participation in any other securities, of an obligor upon the indenture securities are outstanding unless (A) the indenture securities are collateral trust notes under which the only collateral consists of securities issued under such other indenture, or (B) such other indenture is a collateral trust indenture under which the only collateral consists of indenture securities, or (C) such obligor has no substantial unmortgaged assets and is engaged primarily in the business of owning, or of owning and developing and/or operating, real estate, and the indenture to be qualified and such other indenture are secured by wholly separate and distinct parcels of real estate: *Provided*, That the indenture to be qualified may contain a provision excluding from the operation of this

paragraph another indenture or indentures under which other securities, or certificates of interest or participation in other securities, of such an obligor are outstanding, if (i) the indenture to be qualified and such other indenture or indentures are wholly unsecured, and such other indenture or indentures are specifically described in the indenture to be qualified or are thereafter qualified under this title, unless the Commission shall have found and declared by order pursuant to subsection (b) of section 305 or subsection (c) of section 307 that differences exist between the provisions of the indenture to be qualified and the provisions of such other indenture or indentures which are so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify such trustee from acting as such under one of such indentures, or (ii) the issuer shall have sustained the burden of proving, on application to the Commission and after opportunity for hearing thereon, that trusteeship under the indenture to be qualified and such other indenture is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify such trustee from acting as such under one of such indentures;

"(2) such trustee or any of its directors or executive officers is an obligor upon the indenture securities or an underwriter for such an obligor;

"(3) such trustee directly or indirectly controls or is directly or indirectly controlled by or is under direct or indirect common control with an obligor upon the indenture securities or an underwriter for such an obligor;

"(4) such trustee or any of its directors or executive officers is a director, officer, partner, employee, appointee, or representative of an obligor upon the indenture securities, or of an underwriter (other than the trustee itself) for such an obligor who is currently engaged in the business of underwriting, except that (A) one individual may be a director and/or an executive officer of the trustee and a director and/or an executive officer of such obligor, but may not be at the same time an executive officer of both the trustee and of such obligor, and (B) if and so long as the number of directors of the trustee in office is more than nine, one additional individual may be a director and/or an executive officer of the trustee and a director of such obligor, and (C) such trustee may be designated by any such obligor or by any underwriter for any such obligor, to act in the capacity of transfer agent, registrar, custodian, paying agent, fiscal agent, escrow agent, or depository, or in any other similar capacity, or, subject to the provisions of paragraph (1) of this subsection, to act as trustee, whether under an indenture or otherwise;

"(5) 10 per centum or more of the voting securities of such trustee is beneficially owned either by an obligor upon the indenture securities or by any director, partner, or executive officer thereof, or 20 per centum or more of such voting securities is beneficially owned, collectively, by any two or more of such persons; or 10 per centum or more of the voting securities of such trustee is beneficially owned either by an underwriter for any such obligor or by any director, partner, or executive officer thereof, or is beneficially owned, collectively, by any two or more such persons;

"(6) such trustee is the beneficial owner of, or holds as collateral security for an obligation which is in default as herein-

*Ante*, p. 1154.

*Ante*, p. 1156.

Trustee or any of its officers an obligor upon indenture securities, etc.

Where trustee controls or is controlled by or with obligor, etc.

Officers of both parties.

Exceptions.

Beneficial ownership, restrictions.

Beneficial ownership, etc., of securities as collateral security for obligation in default.



after defined, (A) 5 per centum or more of the voting securities, or 10 per centum or more of any other class of security, of an obligor upon the indenture securities, not including indenture securities and securities issued under any other indenture under which such trustee is also trustee, or (B) 10 per centum or more of any class of security of an underwriter for any such obligor;

“(7) such trustee is the beneficial owner of, or holds as collateral security for an obligation which is in default as hereinafter defined, 5 per centum or more of the voting securities of any person who, to the knowledge of the trustee, owns 10 per centum or more of the voting securities of, or controls directly or indirectly or is under direct or indirect common control with, an obligor upon the indenture securities;

“(8) such trustee is the beneficial owner of, or holds as collateral security for an obligation which is in default as hereinafter defined, 10 per centum or more of any class of security of any person who, to the knowledge of the trustee, owns 50 per centum or more of the voting securities of an obligor upon the indenture securities; or

“(9) such trustee owns, on May 15 in any calendar year, in the capacity of executor, administrator, testamentary or inter vivos trustee, guardian, committee or conservator, or in any other similar capacity, an aggregate of 25 per centum or more of the voting securities, or of any class of security, of any person, the beneficial ownership of a specified percentage of which would have constituted a conflicting interest under paragraph (6), (7), or (8) of this subsection. The indenture to be qualified may provide, as to any such securities of which the indenture trustee acquired ownership through becoming executor, administrator, or testamentary trustee of an estate which included them, that the provisions of the preceding sentence shall not apply, for a period of not more than two years from the date of such acquisition, to the extent that such securities included in such estate do not exceed 25 per centum of such voting securities or 25 per centum of any such class of security. The indenture to be qualified shall provide that promptly after May 15 in each calendar year, the trustee shall make a check of its holdings of such securities in any of the above-mentioned capacities as of such May 15. Such indenture shall also provide that if the obligor upon the indenture securities fails to make payment in full of principal or interest under such indenture when and as the same becomes due and payable, and such failure continues for thirty days thereafter, the trustee shall make a prompt check of its holdings of such securities in any of the above-mentioned capacities as of the date of the expiration of such thirty-day period, and after such date, notwithstanding the foregoing provisions of this paragraph, all such securities so held by the trustee, with sole or joint control over such securities vested in it, shall be considered as though beneficially owned by such trustee, for the purposes of paragraphs (6), (7), and (8) of this subsection.

“The indenture to be qualified shall provide that the specification of percentages in paragraphs (5) to (9), inclusive, of this subsection shall not be construed as indicating that the ownership of such percentages of the securities of a person is or is not necessary or sufficient to constitute direct or indirect control for the purposes of paragraph (3) or (7) of this subsection.

“For the purposes of paragraphs (6), (7), (8), and (9) of this subsection, (A) the terms ‘security’ and ‘securities’ shall include only

Ownership in a representative capacity.

Check of holdings.

Check when principal or interest in default under indenture.

Status of securities.

Construction of percentage specifications.

“Security” and “securities” defined.

such securities as are generally known as corporate securities, but shall not include any note or other evidence of indebtedness issued to evidence an obligation to repay moneys lent to a person by one or more banks, trust companies, or banking firms, or any certificate of interest or participation in any such note or evidence of indebtedness; (B) an obligation shall be deemed to be in default when a default in payment of principal shall have continued for thirty days or more, and shall not have been cured; and (C) the indenture trustee shall not be deemed the owner or holder of (i) any security which it holds as collateral security (as trustee or otherwise) for an obligation which is not in default as above defined, or (ii) any security which it holds as collateral security under the indenture to be qualified, irrespective of any default thereunder, or (iii) any security which it holds as agent for collection, or as custodian, escrow agent, or depository, or in any similar representative capacity.

When obligation deemed to be in default.

Trustee not owner of collateral security it holds.

"For the purposes of this subsection, the term 'underwriter' when used with reference to an obligor upon the indenture securities means every person who, within three years prior to the time as of which the determination is made, was an underwriter of any security of such obligor outstanding at such time.

"Underwriter" defined.

#### "Applicability of Section

"(c) The Public Utility Holding Company Act of 1935 shall not be held to establish or authorize the establishment of any standards regarding the eligibility and qualifications of any trustee or prospective trustee under an indenture to be qualified under this title, or regarding the provisions to be included in any such indenture with respect to the eligibility and qualifications of the trustee thereunder, other than those established by the provisions of this section.

Standards for eligibility, etc., of trustees, applicability of section.

49 Stat. §83.  
15 U. S. C., Supp. IV, §§ 79-79z-6.

#### "PREFERENTIAL COLLECTION OF CLAIMS AGAINST OBLIGOR

"SEC. 311. (a) Subject to the provisions of subsection (b) of this section, the indenture to be qualified shall provide that if the indenture trustee shall be, or shall become, a creditor, directly or indirectly, secured or unsecured, of an obligor upon the indenture securities, within four months prior to a default as defined in the last paragraph of this subsection, or subsequent to such a default, then, unless and until such default shall be cured, such trustee shall set apart and hold in a special account for the benefit of the trustee individually and the indenture security holders—

Trustee as creditor of obligor.

"(1) an amount equal to any and all reductions in the amount due and owing upon any claim as such creditor in respect of principal or interest, effected after the beginning of such four months' period and valid as against such obligor and its other creditors, except any such reduction resulting from the receipt or disposition of any property described in paragraph (2) of this subsection, or from the exercise of any right of set-off which the trustee could have exercised if a petition in bankruptcy had been filed by or against such obligor upon the date of such default; and

Special account for individual benefit of trustee, etc.

"(2) all property received in respect of any claim as such creditor, either as security therefor, or in satisfaction or composition thereof, or otherwise, after the beginning of such four months' period, or an amount equal to the proceeds of any such property, if disposed of, subject, however, to the rights, if any, of such obligor and its other creditors in such property or such proceeds.

Rights of trustee.

"Nothing herein contained shall affect the right of the indenture trustee—

Retention of payments by person other than obligor.

Proceeds of bona fide sale to third person.

Distributions received in bankruptcy, etc.

"(A) to retain for its own account (i) payments made on account of any such claim by any person (other than such obligor) who is liable thereon, and (ii) the proceeds of the bona fide sale of any such claim by the trustee to a third person, and (iii) distributions made in cash, securities, or other property in respect of claims filed against such obligor in bankruptcy or receivership or in proceedings for reorganization pursuant to the Bankruptcy Act or applicable State law;

Realizations upon certain property.

"(B) to realize, for its own account, upon any property held by it as security for any such claim, if such property was so held prior to the beginning of such four months' period;

"(C) to realize, for its own account, but only to the extent of the claim hereinafter mentioned, upon any property held by it as security for any such claim, if such claim was created after the beginning of such four months' period and such property was received as security therefor simultaneously with the creation thereof, and if the trustee shall sustain the burden of proving that at the time such property was so received the trustee had no reasonable cause to believe that a default as defined in the last paragraph of this subsection would occur within four months; or

Payments against property release.

"(D) to receive payment on any claim referred to in paragraph (B) or (C), against the release of any property held as security for such claim as provided in paragraph (B) or (C), as the case may be, to the extent of the fair value of such property.

Status of property substituted.

For the purposes of paragraphs (B), (C), and (D), property substituted after the beginning of such four months' period for property held as security at the time of such substitution shall, to the extent of the fair value of the property released, have the same status as the property released, and, to the extent that any claim referred to in any of such paragraphs is created in renewal of or in substitution for or for the purpose of repaying or refunding any preexisting claim of the indenture trustee as such creditor, such claim shall have the same status as such preexisting claim.

Apportionment of proceeds of special account between trustee and security holders.

"The indenture to be qualified shall provide that, if the trustee shall be required to account, the funds and property held in such special account and the proceeds thereof shall be apportioned between the trustee and the indenture security holders in such manner that the trustee and the indenture security holders realize, as a result of payments from such special account and payments of dividends on claims filed against such obligor in bankruptcy or receivership or in proceedings for reorganization pursuant to the Bankruptcy Act or applicable State law, the same percentage of their respective claims, figured before crediting to the claim of the trustee anything on account of the receipt by it from such obligor of the funds and property in such special account and before crediting to the respective claims of the trustee and the indenture security holders dividends on claims filed against such obligor in bankruptcy or receivership or in proceedings for reorganization pursuant to the Bankruptcy Act or applicable State law, but after crediting thereon receipts on account of the indebtedness represented by their respective claims from all sources other than from such dividends and from the funds and property so held in such special account. As used in this paragraph, with respect to any claim, the term 'dividends' shall include any distribution with respect to such claim, in bankruptcy or receivership or in proceedings for reorganization pursuant to the Bankruptcy Act or applicable State law, whether such distribution is made in

Term "dividends" construed.

cash, securities, or other property, but shall not include any such distribution with respect to the secured portion, if any, of such claim. The court in which such bankruptcy, receivership, or proceeding for reorganization is pending shall have jurisdiction (i) to apportion between the indenture trustee and the indenture security holders, in accordance with the provisions of this paragraph, the funds and property held in such special account and the proceeds thereof, or (ii) in lieu of such apportionment, in whole or in part, to give to the provisions of this paragraph due consideration in determining the fairness of the distributions to be made to the indenture trustee and the indenture security holders with respect to their respective claims, in which event it shall not be necessary to liquidate or to appraise the value of any securities or other property held in such special account or as security for any such claim, or to make a specific allocation of such distributions as between the secured and unsecured portions of such claims, or otherwise to apply the provisions of this paragraph as a mathematical formula.

"Any indenture trustee who has resigned or been removed after the beginning of such four months' period shall be subject to the provisions of this subsection as though such resignation or removal had not occurred. Any indenture trustee who has resigned or been removed prior to the beginning of such four months' period shall be subject to the provisions of this subsection if and only if the following conditions exist—

"(i) the receipt of property or reduction of claim which would have given rise to the obligation to account, if such indenture trustee had continued as trustee, occurred after the beginning of such four months' period; and

"(ii) such receipt of property or reduction of claim occurred within four months after such resignation or removal.

"As used in this subsection, the term 'default' means any failure to make payment in full of principal or interest, when and as the same becomes due and payable, under any indenture which has been qualified under this title, and under which the indenture trustee is trustee and the person of whom the indenture trustee is directly or indirectly a creditor is an obligor; and the term 'indenture security holder' means all holders of securities outstanding under any such indenture under which any such default exists.

"(b) The indenture to be qualified may contain provisions excluding from the operation of subsection (a) of this section a creditor relationship arising from—

"(1) the ownership or acquisition of securities issued under any indenture, or any security or securities having a maturity of one year or more at the time of acquisition by the indenture trustee;

"(2) advances authorized by a receivership or bankruptcy court of competent jurisdiction, or by the indenture, for the purpose of preserving the property subject to the lien of the indenture or of discharging tax liens or other prior liens or encumbrances on the trust estate, if notice of such advance and of the circumstances surrounding the making thereof is given to the indenture security holders, at the time and in the manner provided in the indenture;

"(3) disbursements made in the ordinary course of business in the capacity of trustee under an indenture, transfer agent, registrar, custodian, paying agent, fiscal agent or depositary, or other similar capacity;

"(4) an indebtedness created as a result of services rendered or premises rented; or an indebtedness created as a result of goods or securities sold in a cash transaction as defined in the indenture;

Items not included.

Court jurisdiction.

Apportionment between trustee and security holders of funds in special account, etc.

Consideration in determining fairness of distributions made to trustee, etc.

Resignations, etc., provisions governing.

"Default" defined.

"Indenture security holder."

Exclusions, creditor relationship arising from specified classes.

Certain securities having maturity of one year or more.

Advances authorized by receivership, etc.

Advance notice to be given.

Disbursements in ordinary business.

Personal services, rents, etc.

Stock, etc., of corporations doing foreign banking.

41 Stat. 378.  
12 U. S. C. §§ 611-631; Supp. IV, §§ 613-630.

Self-liquidating paper.

Registered holding company, etc., issue or sale of securities.

No adverse action to be taken in certain cases.

49 Stat. 803.  
15 U. S. C., Supp. IV, ch. 2C.

Where lending company is indenture trustee for debtor.

Agreement to be bound by provisions of designated sections.

Terms defined.

49 Stat. 804.  
15 U. S. C. Supp. IV, § 79b (a).

Periodic filing of information by obligor with trustee.

Access thereto.

"(5) the ownership of stock or of other securities of a corporation organized under the provisions of section 25 (a) of the Federal Reserve Act, as amended, which is directly or indirectly a creditor of an obligor upon the indenture securities; or

"(6) the acquisition, ownership, acceptance, or negotiation of any drafts, bills of exchange, acceptances, or obligations which fall within the classification of self-liquidating paper as defined in the indenture.

"(c) In the exercise by the Commission of any jurisdiction under the Public Utility Holding Company Act of 1935 regarding the issue or sale, by any registered holding company or a subsidiary company thereof, of any security of such issuer or seller or of any other company to a person which is trustee under an indenture or indentures of such issuer or seller or other company, or of a subsidiary or associate company or affiliate of such issuer or seller or other company (whether or not such indenture or indentures are qualified or to be qualified under this title), the fact that such trustee will thereby become a creditor, directly or indirectly, of any of the foregoing shall not constitute a ground for the Commission taking adverse action with respect to any application or declaration, or limiting the scope of any rule or regulation which would otherwise permit such transaction to take effect; but in any case in which such trustee is trustee under an indenture of the company of which it will thereby become a creditor, or of any subsidiary company thereof, this subsection shall not prevent the Commission from requiring (if such requirement would be authorized under the provisions of the Public Utility Holding Company Act of 1935) that such trustee, as such, shall effectively and irrevocably agree in writing, for the benefit of the holders from time to time of the securities from time to time outstanding under such indenture, to be bound by the provisions of this section, subsection (c) of section 315, and, in case of default (as such term is defined in such indenture), subsection (d) of section 315, as fully as though such provisions were included in such indenture. For the purposes of this subsection the terms 'registered holding company', 'subsidiary company', 'associate company', and 'affiliate' shall have the respective meanings assigned to such terms in section 2 (a) of the Public Utility Holding Company Act of 1935.

#### "BONDHOLDERS LISTS

"SEC. 312. (a) The indenture to be qualified shall contain provisions requiring each obligor upon the indenture securities to furnish or cause to be furnished to the institutional trustee thereunder at stated intervals of not more than six months, and at such other times as such trustee may request in writing, all information in the possession or control of such obligor, or of any of its paying agents, as to the names and addresses of the indenture security holders, and requiring such trustee to preserve, in as current a form as is reasonably practicable, all such information so furnished to it or received by it in the capacity of paying agent.

"(b) The indenture to be qualified shall also contain provisions requiring that, within five business days after the receipt by the institutional trustee of a written application by any three or more indenture security holders stating that the applicants desire to communicate with other indenture security holders with respect to their rights under such indenture or under the indenture securities, and accompanied by a copy of the form of proxy or other communication which such applicants propose to transmit, and by reasonable proof that each such applicant has owned an indenture security for a period

of at least six months preceding the date of such application, such institutional trustee shall, at its election, either—

“(1) afford to such applicants access to all information so furnished to or received by such trustee; or

“(2) inform such applicants as to the approximate number of indenture security holders according to the most recent information so furnished to or received by such trustee, and as to the approximate cost of mailing to such indenture security holders the form of proxy or other communication, if any, specified in such application.

If such trustee shall elect not to afford to such applicants access to such information, such trustee shall, upon the written request of such applicants, mail to all such indenture security holders copies of the form of proxy or other communication which is specified in such request, with reasonable promptness after a tender to such trustee of the material to be mailed and of payment, or provision for the payment, of the reasonable expenses of such mailing, unless within five days after such tender, such trustee shall mail to such applicants, and file with the Commission together with a copy of the material to be mailed, a written statement to the effect that, in the opinion of such trustee, such mailing would be contrary to the best interests of the indenture security holders or would be in violation of applicable law. Such written statement shall specify the basis of such opinion. After opportunity for hearing upon the objections specified in the written statement so filed, the Commission may, and if demanded by such trustee or by such applicants shall, enter an order either sustaining one or more of such objections or refusing to sustain any of them. If the Commission shall enter an order refusing to sustain any of such objections, or if, after the entry of an order sustaining one or more of such objections, the Commission shall find, after notice and opportunity for hearing, that all objections so sustained have been met, and shall enter an order so declaring, such trustee shall mail copies of such material to all such indenture security holders with reasonable promptness after the entry of such order and the renewal of such tender.

If trustee elects not to afford access.

Intervention by Commission.

Disclosure not deemed violation of law.

Protection of trustee from accountability.

“(c) The disclosure of any such information as to the names and addresses of the indenture security holders in accordance with the provisions of this section, regardless of the source from which such information was derived, shall not be deemed to be a violation of any existing law, or of any law hereafter enacted which does not specifically refer to this section, nor shall such trustee be held accountable by reason of mailing any material pursuant to a request made under subsection (b) of this section.

#### “REPORTS BY INDENTURE TRUSTEE

“SEC. 313. (a) The indenture to be qualified shall contain provisions requiring the indenture trustee to transmit to the indenture security holders as hereinafter provided, at stated intervals of not more than 12 months, a brief report with respect to—

Reports by indenture trustee.

“(1) its eligibility and its qualifications under section 310, or in lieu thereof, if to the best of its knowledge it has continued to be eligible and qualified under such section, a written statement to such effect;

Eligibility and qualifications.

“(2) the character and amount of any advances made by it, as indenture trustee, which remain unpaid on the date of such report, and for the reimbursement of which it claims or may claim a lien or charge, prior to that of the indenture securities, on the trust estate or on property or funds held or collected by it as such trustee, if such advances so remaining unpaid aggre-

Unpaid advances; character and amount.

Obligor's debts,  
amount, interest rate,  
maturity, etc.

Exception.

Property and funds  
in hand.

Releases and sub-  
stitutions not pre-  
viously reported.

Additional issues  
not previously report-  
ed.

Any material action  
taken, etc.

Additional reports.

Releases, etc.

Unpaid advances,  
character and  
amount.

Additional parties  
to whom reports to be  
transmitted.

gate more than one-half of 1 per centum of the principal amount of the indenture securities outstanding on such date;

"(3) the amount, interest rate, and maturity date of all other indebtedness owing to it in its individual capacity, on the date of such report, by the obligor upon the indenture securities, with a brief description of any property held as collateral security therefor, except an indebtedness based upon a creditor relationship arising in any manner described in paragraphs (2), (3), (4), or (6) of subsection (b) of section 311;

"(4) the property and funds physically in its possession as indenture trustee on the date of such report;

"(5) any release, or release and substitution, of property subject to the lien of the indenture (and the consideration therefor, if any) which it has not previously reported;

"(6) any additional issue of indenture securities which it has not previously reported; and

"(7) any action taken by it in the performance of its duties under the indenture which it has not previously reported and which in its opinion materially affects the indenture securities or the trust estate, except action in respect of a default, notice of which has been or is to be withheld by it in accordance with an indenture provision authorized by subsection (b) of section 315.

"(b) The indenture to be qualified shall also contain provisions requiring the indenture trustee to transmit to the indenture security holders as hereinafter provided, within the times hereinafter specified, a brief report with respect to—

"(1) the release, or release and substitution, of property subject to the lien of the indenture (and the consideration therefor, if any) unless the fair value of such property, as set forth in the certificate or opinion required by paragraph (1) of subsection (d) of section 314, is less than 10 per centum of the principal amount of indenture securities outstanding at the time of such release, or such release and substitution, such report to be so transmitted within 90 days after such time; and

"(2) the character and amount of any advances made by it as such since the date of the last report transmitted pursuant to the provisions of subsection (a) (or if no such report has yet been so transmitted, since the date of execution of the indenture), for the reimbursement of which it claims or may claim a lien or charge, prior to that of the indenture securities, on the trust estate or on property or funds held or collected by it as such trustee, and which it has not previously reported pursuant to this paragraph, if such advances remaining unpaid at any time aggregate more than 10 per centum of the principal amount of indenture securities outstanding at such time, such report to be so transmitted within 90 days after such time.

"(c) The indenture to be qualified shall also provide that reports pursuant to this section shall be transmitted by mail—

"(1) to all registered holders of indenture securities, as the names and addresses of such holders appear upon the registration books of the obligor upon the indenture securities;

"(2) to such holders of indenture securities as have, within the two years preceding such transmission, filed their names and addresses with the indenture trustee for that purpose; and

"(3) except in the case of reports pursuant to subsection (b) of this section, to all holders of indenture securities whose names and addresses have been furnished to or received by the indenture trustee pursuant to section 312.

“(d) The indenture to be qualified shall also provide that a copy of each such report shall, at the time of such transmission to indenture security holders, be filed with each stock exchange upon which the indenture securities are listed, and also with the Commission.

Copies to stock exchanges and Commission.

“REPORTS BY OBLIGOR; EVIDENCE OF COMPLIANCE WITH INDENTURE PROVISIONS

“Periodic Reports

“SEC. 314. (a) The indenture to be qualified shall contain provisions requiring each person who, as set forth in the registration statement or application, is or is to be an obligor upon the indenture securities covered thereby—

Periodic reports by obligor.

“(1) to file with the indenture trustee copies of the annual reports and of the information, documents, and other reports (or copies of such portions of any of the foregoing as the Commission may by rules and regulations prescribe) which such obligor is required to file with the Commission pursuant to section 13 or section 15 (d) of the Securities Exchange Act of 1934; or, if the obligor is not required to file information, documents, or reports pursuant to either of such sections, then to file with the indenture trustee and the Commission, in accordance with rules and regulations prescribed by the Commission, such of the supplementary and periodic information, documents, and reports which may be required pursuant to section 13 of the Securities Exchange Act of 1934, in respect of a security listed and registered on a national securities exchange as may be prescribed in such rules and regulations;

Annual reports, etc., to trustee.

“(2) to file with the indenture trustee and the Commission, in accordance with rules and regulations prescribed by the Commission, such additional information, documents, and reports with respect to compliance by such obligor with the conditions and covenants provided for in the indenture, as may be required by such rules and regulations, including, in the case of annual reports, if required by such rules and regulations, certificates or opinions of independent public accountants, conforming to the requirements of subsection (e) of this section, as to compliance with conditions or covenants, compliance with which is subject to verification by accountants, but no such certificate or opinion shall be required as to any matter specified in clauses (A), (B), or (C) of paragraph (3) of subsection (c); and

48 Stat. 894; 49 Stat. 1379.  
15 U. S. C. § 78m; Supp. IV, §§ 78m, 78o (d).

Additional information, etc., to trustee and Commission.

“(3) to transmit to the holders of the indenture securities upon which such person is an obligor, in the manner and to the extent provided in subsection (c) of section 313, such summaries of any information, documents, and reports required to be filed by such obligor pursuant to the provisions of paragraph (1) or (2) of this subsection as may be required by rules and regulations prescribed by the Commission.

Transmission of summaries of reports, etc., to security holders.

The rules and regulations prescribed under this subsection shall be such as are necessary or appropriate in the public interest or for the protection of investors, having due regard to the types of indentures, and the nature of the business of the class of obligors affected thereby, and the amount of indenture securities outstanding under such indentures, and, in the case of any such rules and regulations prescribed after the indentures to which they apply have been qualified under this title, the additional expense, if any, of complying with such rules and regulations. Such rules and regulations may be prescribed either before or after qualification becomes effective as to any such indenture.

Rules and regulations.



### “Evidence of Recording of Indenture

Evidence of recording of indenture.

“(b) If the indenture to be qualified is or is to be secured by the mortgage or pledge of property, such indenture shall contain provisions requiring the obligor upon the indenture securities to furnish to the indenture trustee—

Opinion of counsel as to proper recording, etc.

“(1) promptly after the execution and delivery of the indenture, an opinion of counsel (who may be of counsel for such obligor) either stating that in the opinion of such counsel the indenture has been properly recorded and filed so as to make effective the lien intended to be created thereby, and reciting the details of such action, or stating that in the opinion of such counsel no such action is necessary to make such lien effective; and

Opinion of counsel as to maintenance of lien.

“(2) at least annually after the execution and delivery of the indenture, an opinion of counsel (who may be of counsel for such obligor) either stating that in the opinion of such counsel such action has been taken with respect to the recording, filing, re-recording, and refileing of the indenture as is necessary to maintain the lien of such indenture, and reciting the details of such action, or stating that in the opinion of such counsel no such action is necessary to maintain such lien.

### “Evidence of Compliance With Conditions Precedent

Evidence of compliance with conditions precedent.

“(c) The indenture to be qualified shall contain provisions requiring the obligor upon the indenture securities to furnish to the indenture trustee evidence of compliance with the conditions precedent, if any, provided for in the indenture (including any covenants compliance with which constitutes a condition precedent) which relate to the authentication and delivery of the indenture securities, to the release or the release and substitution of property subject to the lien of the indenture, to the satisfaction and discharge of the indenture, or to any other action to be taken by the indenture trustee at the request or upon the application of such obligor. Such evidence shall consist of the following:

Requirements.

Certificates or opinions of specified officers of obligor.

“(1) certificates or opinions made by officers of such obligor who are specified in the indenture, stating that such conditions precedent have been complied with;

Opinion of counsel.

“(2) an opinion of counsel (who may be of counsel for such obligor) stating that in his opinion such conditions precedent have been complied with; and

Certificate or opinion of an accountant, when subject to verification.

“(3) in the case of conditions precedent compliance with which is subject to verification by accountants (such as conditions with respect to the preservation of specified ratios, the amount of net quick assets, negative-pledge clauses, and other similar specific conditions), a certificate or opinion of an accountant, who, in the case of any such conditions precedent to the authentication and delivery of indenture securities, and not otherwise, shall be an independent public accountant selected or approved by the indenture trustee in the exercise of reasonable care, if the aggregate principal amount of such indenture securities and of other indenture securities authenticated and delivered since the commencement of the then current calendar year (other than those with respect to which a certificate or opinion of an accountant is not required, or with respect to which a certificate or opinion of an independent public accountant has previously been furnished) is 10 per centum or more of the aggregate amount of the indenture securities at the time outstanding; but no certificate or opinion need be made by any person other than an officer or

employee of such obligor who is specified in the indenture, as to (A) dates or periods not covered by annual reports required to be filed by the obligor, in the case of conditions precedent which depend upon a state of facts as of a date or dates or for a period or periods different from that required to be covered by such annual reports, or (B) the amount and value of property additions, except as provided in paragraph (3) of subsection (d), or (C) the adequacy of depreciation, maintenance, or repairs.

#### "Certificates of Fair Value

"(d) If the indenture to be qualified is or is to be secured by the mortgage or pledge of property or securities, such indenture shall contain provisions—

Certificates of fair value; provisions required.

"(1) requiring the obligor upon the indenture securities to furnish to the indenture trustee a certificate or opinion of an engineer, appraiser, or other expert as to the fair value of any property or securities to be released from the lien of the indenture, which certificate or opinion shall state that in the opinion of the person making the same the proposed release will not impair the security under such indenture in contravention of the provisions thereof, and requiring further that such certificate or opinion shall be made by an independent engineer, appraiser, or other expert, if the fair value of such property or securities and of all other property or securities released since the commencement of the then current calendar year, as set forth in the certificates or opinions required by this paragraph, is 10 per centum or more of the aggregate principal amount of the indenture securities at the time outstanding; but such a certificate or opinion of an independent engineer, appraiser, or other expert shall not be required in the case of any release of property or securities, if the fair value thereof as set forth in the certificate or opinion required by this paragraph is less than \$25,000 or less than 1 per centum of the aggregate principal amount of the indenture securities at the time outstanding;

Certificate or opinion of engineer, etc., that proposed release will not impair security.

Expert opinion required if fair value of property released during any calendar year reaches total of 10 percent of principal.

Exceptions.

"(2) requiring the obligor upon the indenture securities to furnish to the indenture trustee a certificate or opinion of an engineer, appraiser, or other expert as to the fair value to such obligor of any securities (other than indenture securities and securities secured by a lien prior to the lien of the indenture upon property subject to the lien of the indenture), the deposit of which with the trustee is to be made the basis for the authentication and delivery of indenture securities, the withdrawal of cash constituting a part of the trust estate or the release of property or securities subject to the lien of the indenture, and requiring further that if the fair value to such obligor of such securities and of all other such securities made the basis of any such authentication and delivery, withdrawal, or release since the commencement of the then current calendar year, as set forth in the certificates or opinions required by this paragraph, is 10 per centum or more of the aggregate principal amount of the indenture securities at the time outstanding, such certificate or opinion shall be made by an independent engineer, appraiser, or other expert and, in the case of the authentication and delivery of indenture securities, shall cover the fair value to such obligor of all other such securities so deposited since the commencement of the current calendar year as to which a certificate or opinion of an independent engineer, appraiser, or other expert has not previously been furnished; but such a certificate of an inde-

Where deposit of securities with trustee is made basis of delivery of indenture securities, etc.

pendent engineer, appraiser, or other expert shall not be required with respect to any securities so deposited, if the fair value thereof to such obligor as set forth in the certificate or opinion required by this paragraph is less than \$25,000 or less than 1 per centum of the aggregate principal amount of the indenture securities at the time outstanding; and

“(3) requiring the obligor upon the indenture securities to furnish to the indenture trustee a certificate or opinion of an engineer, appraiser, or other expert as to the fair value to such obligor of any property the subjection of which to the lien of the indenture is to be made the basis for the authentication and delivery of indenture securities, the withdrawal of cash constituting a part of the trust estate, or the release of property or securities subject to the lien of the indenture, and requiring further that if

“(A) within six months prior to the date of acquisition thereof by such obligor, such property has been used or operated, by a person or persons other than such obligor, in a business similar to that in which it has been or is to be used or operated by such obligor, and

“(B) the fair value to such obligor of such property as set forth in such certificate or opinion is not less than \$25,000 and not less than 1 per centum of the aggregate principal amount of the indenture securities at the time outstanding,

such certificate or opinion shall be made by an independent engineer, appraiser, or other expert and, in the case of the authentication and delivery of indenture securities, shall cover the fair value to the obligor of any property so used or operated which has been so subjected to the lien of the indenture since the commencement of the then current calendar year, and as to which a certificate or opinion of an independent engineer, appraiser, or other expert has not previously been furnished.

If the indenture to be qualified so provides, any such certificate or opinion may be made by an officer or employee of the obligor upon the indenture securities who is specified in the indenture, except in cases in which this subsection requires that such certificate or opinion be made by an independent person. In such cases, such certificate or opinion shall be made by an independent engineer, appraiser, or other expert selected or approved by the indenture trustee in the exercise of reasonable care.

#### “Recitals as to Basis of Certificate or Opinion

“(e) Each certificate or opinion with respect to compliance with a condition or covenant provided for in the indenture shall include (1) a statement that the person making such certificate or opinion has read such covenant or condition; (2) a brief statement as to the nature and scope of the examination or investigation upon which the statements or opinions contained in such certificate or opinion are based; (3) a statement that, in the opinion of such person, he has made such examination or investigation as is necessary to enable him to express an informed opinion as to whether or not such covenant or condition has been complied with; and (4) a statement as to whether or not, in the opinion of such person, such condition or covenant has been complied with.

#### “Parties May Provide for Additional Evidence

“(f) Nothing in this section shall be construed either as requiring the inclusion in the indenture to be qualified of provisions that the

Where securities are to be delivered, etc., on basis of subjection of property to lien.

Certificate or opinion by independent engineer, etc., to cover fair value.

By personnel of obligor, if so provided in indenture.  
Exception.

Recitals as to basis of certificate or opinion.

Parties may provide for additional evidence.

obligor upon the indenture securities shall furnish to the indenture trustee any other evidence of compliance with the conditions and covenants provided for in the indenture than the evidence specified in this section, or as preventing the inclusion of such provisions in such indenture, if the parties so agree.

#### “DUTIES AND RESPONSIBILITY OF THE TRUSTEE

##### “Duties Prior to Default

“SEC. 315. (a) The indenture to be qualified may provide that, prior to default (as such term is defined in such indenture)—

Trustee's duties prior to default.

“(1) the indenture trustee shall not be liable except for the performance of such duties as are specifically set out in such indenture; and

“(2) the indenture trustee may conclusively rely, as to the truth of the statements and the correctness of the opinions expressed therein, in the absence of bad faith on the part of such trustee, upon certificates or opinions conforming to the requirements of the indenture;

but such indenture shall contain provisions requiring the indenture trustee to examine the evidence furnished to it pursuant to section 314 to determine whether or not such evidence conforms to the requirements of the indenture.

##### “Notice of Defaults

“(b) The indenture to be qualified shall contain provisions requiring the indenture trustee to give to the indenture security holders, in the manner and to the extent provided in subsection (c) of section 313, notice of all defaults known to the trustee, within ninety days after the occurrence thereof: *Provided*, That such indenture may provide that, except in the case of default in the payment of the principal of or interest on any indenture security, or in the payment of any sinking or purchase fund installment, the trustee shall be protected in withholding such notice if and so long as the board of directors, the executive committee, or a trust committee of directors and/or responsible officers, of the trustee in good faith determine that the withholding of such notice is in the interests of the indenture security holders.

Notice of defaults.

*Proviso.*  
Conditions for withholding.

##### “Duties of the Trustee in Case of Default

“(c) The indenture to be qualified shall contain provisions requiring the indenture trustee to exercise in case of default (as such term is defined in such indenture) such of the rights and powers vested in it by such indenture, and to use the same degree of care and skill in their exercise, as a prudent man would exercise or use under the circumstances in the conduct of his own affairs.

Duties of the trustee in case of default.

##### “Responsibility of the Trustee

“(d) The indenture to be qualified shall not contain any provisions relieving the indenture trustee from liability for its own negligent action, its own negligent failure to act, or its own willful misconduct, except that—

Liability for negligence, etc.

“(1) such indenture may contain the provisions authorized by paragraphs (1) and (2) of subsection (a) of this section;

“(2) such indenture may contain provisions protecting the indenture trustee from liability for any error of judgment made in good faith by a responsible officer or officers of such trustee, unless it shall be proved that such trustee was negligent in ascertaining the pertinent facts; and

Exceptions.

"(3) such indenture may contain provisions protecting the indenture trustee with respect to any action taken or omitted to be taken by it in good faith in accordance with the direction of the holders of not less than a majority in principal amount of the indenture securities at the time outstanding (determined as provided in subsection (a) of section 316) relating to the time, method, and place of conducting any proceeding for any remedy available to such trustee, or exercising any trust or power conferred upon such trustee, under such indenture.

#### "Undertaking for Costs

Undertaking for costs, provisions included.

Proviso.  
Exceptions.

"(e) The indenture to be qualified may contain provisions to the effect that all parties thereto, including the indenture security holders, agree that the court may in its discretion require, in any suit for the enforcement of any right or remedy under such indenture, or in any suit against the trustee for any action taken or omitted by it as trustee, the filing by any party litigant in such suit of an undertaking to pay the costs of such suit, and that such court may in its discretion assess reasonable costs, including reasonable attorneys' fees, against any party litigant in such suit, having due regard to the merits and good faith of the claims or defenses made by such party litigant: *Provided*, That the provisions of this subsection shall not apply to any suit instituted by such trustee, to any suit instituted by any indenture security holder, or group of indenture security holders, holding in the aggregate more than 10 per centum in principal amount of the indenture securities outstanding, or to any suit instituted by any indenture security holder for the enforcement of the payment of the principal of or interest on any indenture security, on or after the respective due dates expressed in such indenture security.

#### "DIRECTIONS AND WAIVERS BY BONDHOLDERS; PROHIBITION OF IMPAIRMENT OF HOLDER'S RIGHT TO PAYMENT

Directions and waivers by bondholders.

Direction of proceeding for remedy available to trustee, etc.

Consent to waiver of past default.

Consent to postponement of any interest payment for designated period.

Exclusion of securities owned by obligor, etc., in determining whether required percentage has concurred.

Qualification.

"SEC. 316. (a) The indenture to be qualified may contain provisions—

"(1) authorizing the holders of not less than a majority in principal amount of the indenture securities at the time outstanding (A) to direct the time, method, and place of conducting any proceeding for any remedy available to such trustee, or exercising any trust or power conferred upon such trustee, under such indenture, or (B) on behalf of the holders of all such indenture securities, to consent to the waiver of any past default and its consequences; or

"(2) authorizing the holders of not less than 75 per centum in principal amount of the indenture securities at the time outstanding to consent on behalf of the holders of all such indenture securities to the postponement of any interest payment for a period not exceeding three years from its due date.

For the purposes of this subsection and paragraph (3) of subsection (d) of section 315, in determining whether the holders of the required principal amount of indenture securities have concurred in any such direction or consent, indenture securities owned by any obligor upon the indenture securities, or by any person directly or indirectly controlling or controlled by or under direct or indirect common control with any such obligor, shall be disregarded, except that for the purposes of determining whether the indenture trustee shall be protected in relying on any such direction or consent, only indenture securities which such trustee knows are so owned shall be so disregarded.

"(b) The indenture to be qualified shall provide that, notwithstanding any other provision thereof, the right of any holder of any indenture security to receive payment of the principal of and interest on such indenture security, on or after the respective due dates expressed in such indenture security, or to institute suit for the enforcement of any such payment on or after such respective dates, shall not be impaired or affected without the consent of such holder, except as to a postponement of an interest payment consented to as provided in paragraph (2) of subsection (a), and except that such indenture may contain provisions limiting or denying the right of any such holder to institute any such suit, if and to the extent that the institution or prosecution thereof or the entry of judgment therein would, under applicable law, result in the surrender, impairment, waiver, or loss of the lien of such indenture upon any property subject to such lien.

Designated rights  
not impaired.

#### "SPECIAL POWERS OF TRUSTEE; DUTIES OF PAYING AGENTS

"SEC. 317. (a) The indenture to be qualified shall contain provisions—

Indenture to contain designated provisions.

"(1) authorizing the indenture trustee, in the case of a default in payment of the principal of any indenture security, when and as the same shall become due and payable, or in the case of a default in payment of the interest on any such security, when and as the same shall become due and payable and the continuance of such default for such period as may be prescribed in such indenture, to recover judgment, in its own name and as trustee of an express trust, against the obligor upon the indenture securities for the whole amount of such principal and interest remaining unpaid; and

Power of trustee to recover judgment for principal and interest unpaid.

"(2) authorizing such trustee to file such proofs of claim and other papers or documents as may be necessary or advisable in order to have the claims of such trustee and of the indenture security holders allowed in any judicial proceedings relative to the obligor upon the indenture securities, its creditors, or its property.

To file proofs of claim, etc., in judicial proceedings on behalf of security holders.

"(b) The indenture to be qualified shall provide that each paying agent shall hold in trust for the benefit of the indenture security holders or the indenture trustee all sums held by such paying agent for the payment of the principal of or interest on the indenture securities, and shall give to such trustee notice of any default by any obligor upon the indenture securities in the making of any such payment.

Payments to be held in trust.

#### "EFFECT OF PRESCRIBED INDENTURE PROVISIONS

"SEC. 318. (a) The indenture to be qualified shall provide that if any provision thereof limits, qualifies, or conflicts with another provision which is required to be included in such indenture by any of sections 310 to 317, inclusive, such required provision shall control.

Effect of prescribed indenture provisions.

"(b) The indenture to be qualified may contain, in addition to provisions specifically authorized under this title to be included therein, any other provisions the inclusion of which is not in contravention of any provision of this title.

Inclusion of other provisions.

#### "RULES, REGULATIONS, AND ORDERS

"SEC. 319. (a) The Commission shall have authority from time to time to make, issue, amend, and rescind such rules and regulations and such orders as it may deem necessary or appropriate in the public interest or for the protection of investors to carry out the pro-

Authority of Commission.

## Scope.

visions of this title, including rules and regulations defining accounting, technical, and trade terms used in this title. Among other things, the Commission shall have authority, (1) by rules and regulations, to prescribe for the purposes of section 310 (b) the method (to be fixed in indentures to be qualified under this title) of calculating percentages of voting securities and other securities; (2) by rules and regulations, to prescribe the definitions of the terms 'cash transaction' and 'self-liquidating paper' which shall be included in indentures to be qualified under this title, which definitions shall include such of the creditor relationships referred to in paragraphs (4) and (6) of subsection (b) of section 311 as to which the Commission determines that the application of subsection (a) of such section is not necessary in the public interest or for the protection of investors, having due regard for the purposes of such subsection; and (3) for the purposes of this title, to prescribe the form or forms in which information required in any statement, application, report, or other document filed with the Commission shall be set forth. For the purpose of its rules or regulations the Commission may classify persons, securities, indentures, and other matters within its jurisdiction and prescribe different requirements for different classes of persons, securities, indentures, or matters.

When effective.  
49 Stat. 500.  
44 U. S. C., Supp.  
IV, §§ 301-314.

Exemption from liability for action taken in good faith in conforming to any rule, etc.

"(b) Subject to the provisions of the Federal Register Act and regulations prescribed under the authority thereof, the rules and regulations of the Commission under this title shall be effective upon publication in the manner which the Commission shall prescribe, or upon such later date as may be provided in such rules and regulations.

"(c) No provision of this title imposing any liability shall apply to any act done or omitted in good faith in conformity with any rule, regulation, or order of the Commission, notwithstanding that such rule, regulation, or order may, after such act or omission, be amended or rescinded or be determined by judicial or other authority to be invalid for any reason.

## "HEARINGS BY COMMISSION

## Hearings.

"SEC. 320. Hearings may be public and may be held before the Commission, any member or members thereof, or any officer or officers of the Commission designated by it, and appropriate records thereof shall be kept.

## "SPECIAL POWERS OF THE COMMISSION

Power to summon witnesses; production of books, etc.

"SEC. 321. (a) For the purpose of any investigation or any other proceeding which, in the opinion of the Commission, is necessary and proper for the enforcement of this title, any member of the Commission, or any officer thereof designated by it, is empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, contracts, agreements, or other records which the Commission deems relevant or material to the inquiry. Such attendance of witnesses and the production of any such books, papers, correspondence, memoranda, contracts, agreements, or other records may be required from any place in the United States or in any Territory at any designated place of investigation or hearing. In addition, the Commission shall have the powers with respect to investigations and hearings, and with respect to the enforcement of, and offenses and violations under, this title and rules and regulations and orders prescribed under the authority thereof, provided in sections 20, 22 (b), and 22 (c) of the Securities Act of 1933.

Powers with respect to investigations and hearings.

48 Stat. 86, 87.  
15 U. S. C. §§ 77t,  
77v (b), (c); Supp. IV,  
§§ 77t, 77v.

Designated offices to make available reports, records, etc.

"(b) The Treasury Department, the Comptroller of the Currency, the Board of Governors of the Federal Reserve System, the Federal

Reserve Banks, and the Federal Deposit Insurance Corporation are hereby authorized, under such conditions as they may prescribe, to make available to the Commission such reports, records, or other information as they may have available with respect to trustees or prospective trustees under indentures qualified or to be qualified under this title, and to make through their examiners or other employees for the use of the Commission, examinations of such trustees or prospective trustees. Every such trustee or prospective trustee shall, as a condition precedent to qualification of such indenture, consent that reports of examinations by Federal, State, Territorial, or District authorities may be furnished by such authorities to the Commission upon request therefor.

Consent by trustee as condition precedent to qualification of indenture.

"Notwithstanding any provision of this title, no report, record, or other information made available to the Commission under this subsection, no report of an examination made under this subsection for the use of the Commission, no report of an examination made of any trustee or prospective trustee by any Federal, State, Territorial, or District authority having jurisdiction to examine or supervise such trustee, no report made by any such trustee or prospective trustee to any such authority, and no correspondence between any such authority and any such trustee or prospective trustee, shall be divulged or made known or available by the Commission or any member, officer, agent, or employee thereof, to any person other than a member, officer, agent, or employee of the Commission: *Provided*, That the Commission may make available to the Attorney General of the United States, in confidence, any information obtained from such records, reports of examination, other reports, or correspondence, and deemed necessary by the Commission, or requested by him, for the purpose of enabling him to perform his duties under this title.

Restriction on unauthorized divulging of information.

*Proviso.*  
Disclosure to Attorney General.

"(c) Any investigation of a prospective trustee, or any proceeding or requirement for the purpose of obtaining information regarding a prospective trustee, under any provision of this title, shall be limited—

Investigation of prospective trustee; powers limited.

"(1) to determining whether such prospective trustee is qualified to act as trustee under the provisions of subsection (b) of section 310;

"(2) to requiring the inclusion in the registration statement or application of information with respect to the eligibility of such prospective trustee under paragraph (1) of subsection (a) of such section 310; and

"(3) to requiring the inclusion in the registration statement or application of the most recent published report of condition of such prospective trustee, as described in paragraph (2) of such subsection (a), or, if the indenture does not contain the provision with respect to combined capital and surplus authorized by the last sentence of paragraph (2) of subsection (a) of such section 310, to determining whether such prospective trustee is eligible to act as such under such paragraph (2).

"(d) The provisions of section 4 (b) of the Securities Exchange Act of 1934 shall be applicable with respect to the power of the Commission to appoint and fix the compensation of such officers, attorneys, examiners, and other experts, and such other officers and employees, as may be necessary for carrying out its functions under this title.

Employment of officers, experts, etc.  
48 Stat. 885.  
15 U. S. C. § 78d (b).

#### "COURT REVIEW OF ORDERS; JURISDICTION OF OFFENSES AND SUITS

"SEC. 322. (a) Orders of the Commission under this title (including orders pursuant to the provisions of sections 305 (b) and 307 (c))

Court review of orders.



48 Stat. 80.  
15 U. S. C. § 77l.

Jurisdiction of offenses and suits.

48 Stat. 86.  
15 U. S. C. § 77v (a);  
Supp. IV, § 77v.

shall be subject to review in the same manner, upon the same conditions, and to the same extent, as provided in section 9 of the Securities Act of 1933, with respect to orders of the Commission under such Act.

“(b) Jurisdiction of offenses and violations under, and jurisdiction and venue of suits and actions brought to enforce any liability created by, this title, or any rules or regulations or orders prescribed under the authority thereof, shall be as provided in section 22 (a) of the Securities Act of 1933.

#### “LIABILITY FOR MISLEADING STATEMENTS

Liability for misleading statements.

“SEC. 323. (a) Any person who shall make or cause to be made any statement in any application, report, or document filed with the Commission pursuant to any provisions of this title, or any rule, regulation, or order thereunder, which statement was at the time and in the light of the circumstances under which it was made false or misleading with respect to any material fact, or who shall omit to state any material fact required to be stated therein or necessary to make the statements therein not misleading, shall be liable to any person (not knowing that such statement was false or misleading or of such omission) who, in reliance upon such statement or omission, shall have purchased or sold a security issued under the indenture to which such application, report, or document relates, for damages caused by such reliance, unless the person sued shall prove that he acted in good faith and had no knowledge that such statement was false or misleading or of such omission. A person seeking to enforce such liability may sue at law or in equity in any court of competent jurisdiction. In any such suit the court may, in its discretion, require an undertaking for the payment of the costs of such suit and assess reasonable costs, including reasonable attorneys’ fees, against either party litigant, having due regard to the merits and good faith of the suit or defense. No action shall be maintained to enforce any liability created under this section unless brought within one year after the discovery of the facts constituting the cause of action and within three years after such cause of action accrued.

Rights and remedies herein to be additional.  
48 Stat. 74, 881;  
49 Stat. 803.  
15 U. S. C. chs. 2A, 2B; Supp. IV, chs. 2A, 2B, 2C.

“(b) The rights and remedies provided by this title shall be in addition to any and all other rights and remedies that may exist under the Securities Act of 1933, or the Securities Exchange Act of 1934, or the Public Utility Holding Company Act of 1935, or otherwise at law or in equity; but no person permitted to maintain a suit for damages under the provisions of this title shall recover, through satisfaction of judgment in one or more actions, a total amount in excess of his actual damages on account of the act complained of.

#### “UNLAWFUL REPRESENTATIONS

Unlawful representations.

“SEC. 324. It shall be unlawful for any person in issuing or selling any security to represent or imply in any manner whatsoever that any action or failure to act by the Commission in the administration of this title means that the Commission has in any way passed upon the merits of, or given approval to, any trustee, indenture or security, or any transaction or transactions therein, or that any such action or failure to act with regard to any statement or report filed with or examined by the Commission pursuant to this title or any rule, regulation, or order thereunder, has the effect of a finding by the Commission that such statement or report is true and accurate on its face or that it is not false or misleading.

“PENALTIES

“SEC. 325. Any person who willfully violates any provision of this title or any rule, regulation, or order thereunder, or any person who willfully, in any application, report, or document filed or required to be filed under the provisions of this title or any rule, regulation, or order thereunder, makes any untrue statement of a material fact or omits to state any material fact required to be stated therein or necessary to make the statements therein not misleading, shall upon conviction be fined not more than \$5,000 or imprisoned not more than five years, or both.

Penalties.

“EFFECT ON EXISTING LAW

“SEC. 326. Except as otherwise expressly provided, nothing in this title shall affect (1) the jurisdiction of the Commission under the Securities Act of 1933, or the Securities Exchange Act of 1934, or the Public Utility Holding Company Act of 1935, over any person, security, or contract, or (2) the rights, obligations, duties, or liabilities of any person under such Acts; nor shall anything in this title affect the jurisdiction of any other commission, board, agency, or officer of the United States or of any State or political subdivision of any State, over any person or security, insofar as such jurisdiction does not conflict with any provision of this title or any rule, regulation, or order thereunder.

Effect on existing law.

48 Stat. 74, 881;  
49 Stat. 803.  
15 U. S. C. chs. 2A,  
2B; Supp. IV, chs.  
2A, 2B, 2C.

“CONTRARY STIPULATIONS VOID

“SEC. 327. Any condition, stipulation, or provision binding any person to waive compliance with any provision of this title or with any rule, regulation, or order thereunder shall be void.

Contrary stipulations void.

“SEPARABILITY OF PROVISIONS

“SEC. 328. If any provision of this title or the application of such provision to any person or circumstance shall be held invalid, the remainder of the title and the application of such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.”

Separability of provisions.

Approved, August 3, 1939.

[CHAPTER 412]

AN ACT

Providing for the exchange of certain park lands at the northern boundary of Piney Branch Parkway, near Argyle Terrace, for other lands more suitable for the use and development of Piney Branch Parkway.

August 3, 1939  
[S. 2666]  
[Public, No. 254]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to better adjust the boundaries of Piney Branch Parkway and to make said parkway more usable and more readily developed, the Secretary of the Interior is authorized to convey, by and on behalf of the United States of America, to the owners of parcel 69/47, or to such party or parties as said owners shall designate, the title of the United States in and to a triangular piece of land containing approximately twenty-two thousand square feet at the northern boundary of Piney Branch Parkway near Argyle Terrace and abutting parcel 69/47: *Provided,* That the owners of said parcel 69/47 shall furnish the United States of America with a good and sufficient title in fee simple, free of all encumbrances, to a triangular piece of land containing

District of Columbia.  
Exchange of certain park lands in, authorized.

Location.

Proviso.  
Condition.

approximately twenty-six thousand square feet, abutting the northern boundary of Piney Branch Parkway at its intersection with the eastern boundary of Rock Creek Park. The transfers provided for herein are designated approximately upon plat file numbered 3.6-114 in the files of the National Capital Park and Planning Commission. The conveyances shall be by proper deed and other instruments containing full legal description by exact survey of the land exchanged, as provided by law.

Approved, August 3, 1939.

## [CHAPTER 413]

## AN ACT

To amend the National Stolen Property Act.

August 3, 1939  
[H. R. 1996]  
[Public, No. 255]

National Stolen  
Property Act, amend-  
ments.  
48 Stat. 794.  
18 U. S. C. § 415.

Transportation of  
stolen, etc., goods,  
securities, or money.

Falsely made,  
forged, or counter-  
feited securities.

Implements used in  
forging or counter-  
feiting securities.

Penalty.  
*Proviso.*  
Counterfeited U. S.  
or foreign securities  
not included herein.

35 Stat. 1115.  
18 U. S. C. § 261;  
Supp. IV, § 261.

40 Stat. 226.  
18 U. S. C. § 288.

48 Stat. 795.  
18 U. S. C. § 416.

Knowingly receiv-  
ing, disposing, etc.,  
of such property.  
Use of, as security.

Falsely made,  
forged, or counter-  
feited securities.  
Use as security.

Implements used in  
forging, counterfeit-  
ing, etc., securities.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 3 of the National Stolen Property Act, approved May 22, 1934 (48 Stat. 794; U. S. C., title 18, sec. 415), be, and the same is hereby, amended to read as follows:

"SEC. 3. Whoever shall transport or cause to be transported in interstate or foreign commerce any goods, wares, or merchandise, securities, or money, of the value of \$5,000 or more theretofore stolen, feloniously converted, or taken feloniously by fraud or with intent to steal or purloin, knowing the same to have been so stolen, feloniously converted, or taken, or whoever with unlawful or fraudulent intent shall transport or cause to be transported in interstate or foreign commerce any falsely made, forged, altered, or counterfeited securities, knowing the same to have been falsely made, forged, altered, or counterfeited, or whoever with unlawful or fraudulent intent shall transport, or cause to be transported in interstate or foreign commerce, any bed piece, bed plate, roll, plate, die, seal, stone, type, or other tool, implement, or thing used or fitted to be used in falsely making, forging, altering, or counterfeiting any security, or any part thereof, shall be punished by a fine of not more than \$10,000 or by imprisonment for not more than ten years, or both: *Provided*, That the provisions of this section shall not apply to any falsely made, forged, altered, counterfeited, or spurious representation of (1) an 'obligation or other security of the United States' as defined in section 147 of the Criminal Code (U. S. C., title 18, sec. 261) or (2) an obligation, bond, certificate, security, treasury note, bill, promise to pay, or bank note, issued by any 'foreign government' as defined in the Act of June 15, 1917, title VIII, section 4 (U. S. C., title 18, sec. 288), or by a bank or corporation of any foreign country."

SEC. 2. That section 4 of the National Stolen Property Act, approved May 22, 1934 (48 Stat. 794; U. S. C., title 18, sec. 416), is hereby amended to read as follows:

"SEC. 4. Whoever shall receive, conceal, store, barter, sell, or dispose of any goods, wares, or merchandise, securities, or money of the value of \$5,000 or more, or whoever shall pledge or accept as security for a loan any goods, wares, or merchandise, or securities, of the value of \$500 or more, moving as, or which are a part of, or which constitute interstate or foreign commerce, knowing the same to have been stolen, unlawfully converted, or taken, or whoever shall receive, conceal, store, barter, sell, or dispose of any falsely made, forged, altered, or counterfeited securities, or whoever shall pledge or accept as security for a loan any falsely made, forged, altered, or counterfeited securities, moving as, or which are a part of, or which constitute interstate or foreign commerce, knowing the same to have been so falsely made, forged, altered, or counterfeited, or whoever shall receive in interstate or foreign commerce, or conceal, store, barter,

sell, or dispose of, any such bed piece, bed plate, roll, plate, die, seal, stone, type, or other tool, implement, or thing used or intended to be used in falsely making, forging, altering, or counterfeiting any security, or any part thereof, moving as, or which is a part of, or which constitutes interstate or foreign commerce, knowing that the same is fitted to be used, or has been used, in falsely making, forging, altering, or counterfeiting any security, or any part thereof, shall be punished by a fine of not more than \$10,000 or by imprisonment for not more than ten years, or both: *Provided*, That the provisions of this section shall not apply to any falsely made, forged, altered, counterfeited, or spurious representation of (1) an 'obligation or other security of the United States' as defined in section 147 of the Criminal Code (U. S. C., title 18, sec. 261) or (2) an obligation, bond, certificate, security, Treasury note, bill, promise to pay, or bank note issued by any 'foreign government' as defined in the Act of June 15, 1917, title VIII, section 4 (U. S. C., title 18, sec. 288), or by a bank or corporation of any foreign country."

SEC. 3. That section 5 of the National Stolen Property Act, approved May 22, 1934 (48 Stat. 794; U. S. C., title 18, sec. 417), is hereby amended to read as follows:

"SEC. 5. In the event that a defendant is charged in the same indictment with two or more violations of this Act, then the aggregate value of all goods, wares, and merchandise, securities, and money referred to in such indictment shall constitute the value thereof for the purposes of sections 3 and 4 hereof, and the value of any securities referred to shall be considered to be the face, par, or market value, whichever is the greatest."

SEC. 4. That section 6 of the National Stolen Property Act, approved May 22, 1934 (48 Stat. 794; U. S. C., title 18, sec. 418), is hereby amended to read as follows:

"SEC. 6. Any person violating this Act may be tried in any district from, into, or through which such goods, wares, or merchandise, or such securities, or money or such falsely made, forged, altered, or counterfeited securities have been transported or removed."

SEC. 5. That the National Stolen Property Act, approved May 22, 1934 (48 Stat. 794; U. S. C., title 18, secs. 413-419, inclusive), is hereby amended by inserting therein the following new section to be known as "section 7":

"SEC. 7. If two or more persons enter into an agreement, confederation, or conspiracy to violate any provision of this Act, and do any overt act toward carrying out such unlawful agreement, confederation, or conspiracy, such person or persons shall be punished in like manner as hereinbefore provided by this Act."

SEC. 6. That section 7 of the National Stolen Property Act, approved May 22, 1934 (48 Stat. 794; U. S. C., title 18, sec. 419), is hereby renumbered as "section 8".

Approved, August 3, 1939.

#### [CHAPTER 414]

#### AN ACT

To authorize the board of directors of the Columbia Institution for the Deaf to dedicate a portion of Mount Olivet Road Northeast and to exchange certain lands with the Secretary of the Interior, to dispose of other lands, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in order to provide a suitable approach to the Ninth Street Northeast overpass across the tracks of the Baltimore and Ohio and Pennsylvania Railroads and furnish better access to a part of the property of the Columbia Institution for the Deaf, described in the records of the

#### Penalty.

*Proviso.*  
Counterfeited U. S. or foreign securities exempt.

35 Stat. 1115.  
18 U. S. C. § 261;  
Supp. IV, § 261.

40 Stat. 225.  
18 U. S. C. § 288.

48 Stat. 795.  
18 U. S. C. § 417.

Indictment for two or more offenses; defining value of securities, etc.

48 Stat. 795.  
18 U. S. C. § 418.

#### Venue.

48 Stat. 794.  
18 U. S. C. §§ 413-419.

#### Conspiracy.

Textual amendment.  
48 Stat. 795.  
18 U. S. C. § 419.

August 3, 1939  
[H. R. 5144]

[Public, No. 256]

Columbia Institution for the Deaf, D. C.  
Dedication of certain lands for public purposes authorized.

office of the assessor for the District of Columbia as parcel 141/4, the board of directors of the Columbia Institution for the Deaf are hereby authorized to dedicate to the District of Columbia a strip of land ninety feet wide traversing the north part of said property approximately as shown and designated on the revised highway plan of the District of Columbia as Mount Olivet Road Northeast.

Exchanges in readjusting boundaries.

SEC. 2. That in order to readjust the boundaries and exchange properties of the Columbia Institution for the Deaf, parcel 141/4, and Brentwood Park, United States Reservation Numbered 495, the board of directors of the Columbia Institution for the Deaf and the Secretary of the Interior are hereby authorized to convey fee-simple title by deeds, each to the other, to such parts of the property of the Columbia Institution for the Deaf and Brentwood Park (United States Reservation Numbered 495) as in their judgment is to the mutual advantage of both the institution and the park and playground system of the District of Columbia, provided such exchange of properties shall be approved by the National Capital Park and Planning Commission.

Disposal of detached property; use of proceeds from sale.

SEC. 3. The board of directors of the Columbia Institution for the Deaf are further authorized to sell and to convey fee-simple title by deed that portion of its real estate, now owned by the Columbia Institution for the Deaf or acquired by exchange under section 2 of this Act, which will lie north of the proposed location of Mount Olivet Road extended after a definite survey of such road is established, such sale to be subject to the approval of the Secretary of the Interior. Funds received by the sale of this portion of real property of the institution shall be considered a part of the capital structure of the corporation, which may be invested in securities, buildings, or other real property by the board of directors. If invested in securities, only the income from such investment shall be used for current expenses of the institution.

Approved, August 3, 1939.

#### [CHAPTER 415]

#### AN ACT

August 4, 1939  
[S. 522]

[Public, No. 257]

To provide pensions to members of the Regular Army, Navy, Marine Corps, and Coast Guard who become disabled by reason of their service therein, equivalent to 75 per centum of the compensation payable to war veterans for similar service-connected disabilities, and for other purposes.

Army, Navy, Marine Corps, and Coast Guard.  
Pensions to disabled members.

Rates.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That effective on the 1st day of the month following the month in which this Act is enacted, paragraph II of part II of Veterans Regulation Numbered 1 (a), as amended, is amended to read as follows:

"II. For the purposes of part II, paragraph I (a) hereof, if the disability results from injury or disease—

"(a) If and while the disability is rated 10 per centum the monthly pension shall be \$7.50.

"(b) If and while the disability is rated 20 per centum the monthly pension shall be \$15.

"(c) If and while the disability is rated 30 per centum the monthly pension shall be \$22.50.

"(d) If and while the disability is rated 40 per centum the monthly pension shall be \$30.

"(e) If and while the disability is rated 50 per centum the monthly pension shall be \$37.50.

"(f) If and while the disability is rated 60 per centum the monthly pension shall be \$45.

"(g) If and while the disability is rated 70 per centum the monthly pension shall be \$52.50.

"(h) If and while the disability is rated 80 per centum the monthly pension shall be \$60.

"(i) If and while the disability is rated 90 per centum the monthly pension shall be \$67.50.

"(j) If and while the disability is rated as total the monthly pension shall be \$75.

"(k) If the disabled person, as the result of service-incurred disability, has suffered the anatomical loss or the loss of the use of only one foot, or one hand, or one eye, the rate of pension provided in part II, paragraph II, (a) to (j), shall be increased by \$18.75 per month.

"(l) If the disabled person, as the result of service-incurred disability, has suffered the anatomical loss or loss of use of both hands, or of both feet, or of one hand and one foot, or is so helpless as to be in need of regular aid and attendance, the monthly pension shall be \$112.50.

"(m) If the disabled person, as the result of service-incurred disability, has suffered the anatomical loss or loss of use of both hands and one foot, or of both feet and one hand, or if the disabled person, as the result of service-incurred disability, is blind in both eyes, having only light perception, the monthly pension shall be \$131.25.

"(n) If the disabled person, as the result of service-incurred disability, is blind in both eyes, having only light perception, and has suffered the anatomical loss or loss of use of one hand or of one foot, the monthly pension shall be \$150.

"(o) If the disabled person, as the result of service-incurred disability, has suffered the anatomical loss or loss of use as provided in subparagraphs (l) to (n), inclusive, of part II, paragraph II, of this regulation, and/or blindness in both eyes, having only light perception, which conditions under subparagraphs (l) to (n), inclusive, entitle him to two or more of the rates provided in those subparagraphs, no specified condition being considered twice in the determination, the monthly pension shall be \$187.50."

Approved, August 4, 1939.

#### [CHAPTER 416]

#### AN ACT

To promote nautical education, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Commandant of the Coast Guard is authorized, in his discretion, when so requested by proper authority, to detail persons in the Coast Guard for duty in connection with maritime instruction and training by the several States, Territories, the District of Columbia, and Puerto Rico, and when requested by the United States Maritime Commission, to detail persons in the Coast Guard for duty in connection with maritime instruction and training by the United States: *Provided*, That the service rendered by any person so detailed shall be considered Coast Guard duty.

Approved, August 4, 1939.

August 4, 1939

[H. R. 5375]

[Public, No. 258]

Coast Guard.  
Detail of personnel  
for maritime instruction,  
etc., duty, authorized.

*Provido.*  
Detail deemed service duty.

## [CHAPTER 417]

## AN ACT

August 4, 1939  
[H. R. 6746]  
[Public, No. 259]

To amend certain provisions of the Merchant Marine and Shipping Acts, to further the development of the American merchant marine, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the second paragraph of section 23 of the Shipping Act, 1916, as amended, is amended to read as follows:

Shipping.  
39 Stat. 736.  
46 U. S. C. § 822;  
Supp. IV, § 822.

Maritime Commission.  
Time limitation on orders removed, except for payment of money.

Hearings on changes in rates, etc.  
47 Stat. 1426.  
46 U. S. C. § 845;  
Supp. IV, § 845.  
Burden of proof.

Secretary, directors, etc., appointment, salaries, duties, etc.

49 Stat. 1986.  
46 U. S. C., Supp. IV, § 1111 (e).  
5 U. S. C. §§ 661-674; Supp. IV, §§ 673, 673c.

Naval architects, experts, etc.

Details of personnel for scientific education and research.

Army, etc., details.  
49 Stat. 1986.  
46 U. S. C., Supp. IV, § 1111 (f).

Compensation.

52 Stat. 965.  
46 U. S. C., Supp. IV, § 1126.  
U. S. Maritime Service, establishment as a voluntary organization.

"All orders of the United States Maritime Commission, other than for the payment of money, made under this Act, as amended or supplemented, shall continue in force until its further order, or for a specified period of time, as shall be prescribed in the order, unless the same shall be suspended, or modified, or set aside by the Commission, or be suspended or set aside by a court of competent jurisdiction."

SEC. 2. The second paragraph of section 3 of the Intercoastal Shipping Act, 1933, as amended, is amended by inserting before the last sentence of such paragraph a new sentence to read as follows: "At any hearing under this paragraph the burden of proof to show that the rate, fare, charge, classification, regulation, or practice is just and reasonable shall be upon the carrier or carriers."

SEC. 3. (a) The first sentence of section 201 (e) of the Merchant Marine Act, 1936, as amended, is amended to read as follows: "Without regard to the civil-service laws or the Classification Act of 1923, as amended, the Commission may appoint and prescribe the duties and fix the salaries of a secretary, a director for each of not to exceed five divisions, a general counsel, a clerk to each member of the Commission, and not more than three assistants, a clerk to the general counsel, not more than a total of twenty naval architects or marine engineers, twenty special experts, twenty-two examiners, twelve attorneys, and two inspectors for each vessel at each shipyard at which vessels are being constructed by it or under its supervision."

(b) Such section, as amended, is amended by adding at the end thereof the following: "The Commission, under such rules and regulations as it may prescribe, may detail annually not to exceed five members of the personnel of the Commission for engineering, technical, or other scientific education and training at Government expense at institutions for scientific education and research, to enable such persons to acquire advanced and specialized knowledge or training of particular advantage to the Commission in carrying out its functions under this Act."

SEC. 4. Section 201 (f) of such Act, as amended, is amended by inserting after the first sentence thereof a new sentence to read as follows: "Whenever any officer (not exceeding five in number at any time) of the Army, Navy, Marine Corps, or Coast Guard is detailed to the Commission, he shall receive from the Commission, for the period during which he is so detailed, such compensation as added to his pay and allowances as an officer in such service will make his aggregate compensation equal to the pay and allowances he would receive if he were the incumbent of an office or position in such service (or in the corresponding executive department), which, in the opinion of the Commission, involves the performance of work similar in importance, difficulty, and responsibility to that performed by him while detailed to the Commission."

SEC. 5. Section 216 of such Act, as amended, is amended to read as follows:

"SEC. 216. (a) The Commission is hereby authorized and directed, under such rules and regulations as it may prescribe, to establish and maintain the United States Maritime Service as a voluntary organization for the training of citizens of the United States to serve as

licensed and unlicensed personnel on American merchant vessels. The Commission is authorized to determine the number of persons to be enrolled in the said Service, to fix the rates of pay of such persons, and to prescribe such courses and periods of training as, in its discretion, is necessary to maintain a trained and efficient merchant marine personnel. The ranks, grades, and ratings for the personnel of the said Service shall be the same as are now or shall hereafter be prescribed for the personnel of the Coast Guard. The Commission is further authorized to employ as instructors in said Service, on a contract or fee basis (without regard to the provisions of section 3709 of the Revised Statutes), such qualified persons, including licensed and unlicensed personnel of the merchant marine, as the Commission may deem necessary to effectuate the purposes of this section.

“(b) The Commission is hereby authorized to train American citizens to become licensed officers of the merchant marine of the United States in a status of cadets and cadet officers on Government-owned and subsidized vessels and, in cooperation with other governmental and private agencies, on other vessels and, for instructional purposes only, in shipyards, plants, and industrial and educational organizations, under rules and regulations prescribed by the Commission and upon such terms as the Commission may arrange, and expenditures incident to such training are hereby authorized.

“(c) The Commission is hereby authorized to prescribe, conduct, and supervise such extension and correspondence courses as it may deem necessary to supplement other training facilities, and to make such courses available, under such rules and regulations and upon such terms as it may prescribe, to the licensed and unlicensed personnel of the merchant marine, and to cadets and cadet officers, who shall make application therefor. The Commission is further authorized to print, publish, and purchase suitable textbooks, equipment, and supplies required for such courses, and to employ persons, firms, and corporations on a contract or fee basis (without regard to the provisions of section 3709 of the Revised Statutes), for the performance of special services deemed necessary by the Commission in the preparation and editing of such textbooks and other aids to instruction, and in the supervision and administration of such courses.

“(d) The Commission, with the consent of any executive department, independent establishment, or other agency of the Government, including any field service thereof, may avail itself of the use of information, services, facilities, officers, and employees thereof in carrying out the provisions of this section, as amended.”

SEC. 6. The first sentence of section 502 (b) of such Act, as amended, is amended to read as follows: “The amount of the reduction in selling price which is herein termed ‘construction differential subsidy’ may equal, but not exceed, the excess of the bid of the shipbuilder constructing the proposed vessel (excluding the cost of any features incorporated in the vessel for national-defense uses, which shall be paid by the Commission in addition to the subsidy), over the fair and reasonable estimate of cost, as determined by the Commission, of the construction of the proposed vessel if it were constructed under similar plans and specifications (excluding national-defense features as above provided) in a foreign shipbuilding center which is deemed by the Commission to furnish a fair and representative example for the determination of the estimated foreign cost of construction of vessels of the type proposed to be constructed.”

SEC. 7. Title V of such Act, as amended, is amended by adding at the end thereof a new section to read as follows:

“SEC. 510. (a) When used in this section—

“(1) The term ‘obsolete vessel’ means a vessel or vessels, each of which (A) is of not less than one thousand three hundred and fifty

Ratings.

Employment of instructors.

R. S. § 3709.  
41 U. S. C. § 5.

Scope of training, etc.

Extension courses to supplement other training facilities.

Textbooks and supplies.

R. S. § 3709.  
41 U. S. C. § 5.

Use of Government facilities.

Construction differential subsidy.  
Standard for determination of.  
52 Stat. 956.  
46 U. S. C., Supp. IV, § 1152 (b).

49 Stat. 1995.  
46 U. S. C., Supp. IV, §§ 1151-1159.  
Terms defined.  
“Obsolete vessel.”



gross tons, (B) is not less than seventeen years old and, in the judgment of the Commission, is obsolete or inadequate for successful operation in the domestic or foreign trade of the United States, and (C) is owned by a citizen or citizens of the United States and has been owned by such citizen or citizens for at least three years immediately prior to the date of acquisition hereunder.

"New vessel."

52 Stat. 962.  
46 U. S. C., Supp.  
IV, § 1204.

Acquisition of obsolete vessels in exchange for allowance of credit.

Application of allowance upon purchase price of new vessel.

Utility value of new vessel.

Determination of allowance.

Basis for gain or loss upon a sale or exchange, etc.

Report to Congress.

"(2) The term 'new vessel' means a vessel or vessels, each of which (A) is constructed under the provisions of this Act, and is acquired within two years from the date of completion of such vessel, or is purchased under section 714, as amended, by the person turning in an obsolete vessel under this section, or (B) is hereafter constructed in a domestic shipyard on private account and not under the provisions of this Act, and documented under the laws of the United States.

"(b) In order to promote the construction of new, safe, and efficient vessels to carry the domestic and foreign water-borne commerce of the United States, the Commission is authorized, subject to the provisions of this section, to acquire any obsolete vessel in exchange for an allowance of credit. The amount of such allowance shall be determined at the time the owner contracts for the construction or purchase of a new vessel. The allowance shall not be paid to the owner of the obsolete vessel but shall be applied upon the purchase price of a new vessel. In the case of a new vessel constructed under the provisions of this Act, such allowance may, under such terms and conditions as the Commission may prescribe, be applied upon the cash payments required under this Act. In case the new vessel is not constructed under the provisions of this Act, the allowance shall, upon transfer of the obsolete vessel to the Commission, be paid, for the account of the owner, to the shipbuilder constructing such new vessel.

"(c) The utility value of the new vessel for operation in the domestic or foreign commerce of the United States shall not be substantially less than that of the obsolete vessel. The gross tonnage of the obsolete vessel may exceed the gross tonnage of the new vessel in a ratio not in excess of three to one, if the Commission finds that the new vessel, although of lesser tonnage, will provide utility value equivalent to or greater than that of the obsolete vessel.

"(d) The allowance for an obsolete vessel shall be the fair and reasonable value of such vessel as determined by the Commission. In making such determination the Commission shall consider: (1) The scrap value of the obsolete vessel both in American and in foreign markets, (2) the depreciated value based on a twenty-year life, and (3) the market value thereof for operation in the world trade or in the foreign or domestic trade of the United States. If the owner of the obsolete vessel uses such vessel during the period of construction of the new vessel, the allowance shall be reduced by an amount representing the fair value of such use.

"(e) No gain shall be recognized to the owner for the purpose of Federal income taxes in the case of a transfer of an obsolete vessel to the Commission under the provisions of this section. The basis for gain or loss upon a sale or exchange and for depreciation under the applicable Federal income-tax laws of a new vessel acquired as contemplated in this section shall be the same as the basis of the obsolete vessel or vessels exchanged for credit upon the acquisition of such new vessel, increased in the amount of the cost of such vessel (other than the cost represented by such obsolete vessel or vessels) and decreased in the amount of loss recognized upon such transfer.

"(f) The Commission shall include in its annual report to Congress a detailed statement of all transactions consummated under the provisions of the preceding subsections during the period covered by such report.

"(g) An obsolete vessel acquired by the Commission under this section which is or becomes twenty years old or more, and vessels presently in the Commission's laid-up fleet which are or become twenty years old or more, shall in no case be used for commercial operation, except that any such obsolete vessel, or any such vessel in the laid-up fleet may be used during any period in which vessels may be requisitioned under section 902 of this Act, as amended, and except as otherwise provided in this Act for the employment of the Commission's vessels in steamship lines on trade routes exclusively serving the foreign trade of the United States."

SEC. 8. The last sentence in the first paragraph of section 603 (c) of such Act, as amended, is amended to read as follows: "Such payments on account shall in no case exceed 75 per centum of the amount estimated to have accrued on account of such subsidy, except that, with respect to that part of the subsidy relating to any particular voyage, an additional 15 per centum may be paid to the contractor after such contractor's audit of the voyage account for such voyage has been completed and the Commission's auditors have verified the correctness of the same. Any such payments shall be made only after there has been furnished to the Commission such security as it deems to be reasonable and necessary to insure refund of any overpayment."

SEC. 9. Section 604 of such Act, as amended, is amended to read as follows:

"SEC. 604. If in the case of any particular foreign-trade route the Commission shall find after consultation with the Secretary of State, that the subsidy provided for in this title is in any respect inadequate to offset the effect of governmental aid paid to foreign competitors, it may grant such additional subsidy as it determines to be necessary for that purpose: *Provided*, That no such additional subsidy shall be granted except upon an affirmative vote of four of the members of the Commission."

SEC. 10. The proviso at the end of section 607 (c) (3) of such Act, as amended, is amended to read as follows: "*Provided*, That such reimbursement to the Commission, if so deferred, shall be payable upon termination of the contract from any amounts then in the special reserve fund and the capital reserve fund: *Provided further*, That if any amounts shall have been transferred to the general funds of the contractor from either of such reserve funds and not repaid thereto, or if prepayments of amounts not due before one year after the date of termination of the contract have been made from the capital reserve fund pursuant to subsection (b) of this section, then the balance of such reimbursement not paid out of said reserve funds shall be payable out of any other assets of the contractor, but the amounts so payable from such assets shall not exceed in the aggregate the sum of the amounts so transferred and not repaid, and the amounts of such prepayments;"

SEC. 11. (a) Section 705 of such Act, as amended, is amended by adding at the end thereof a new sentence to read as follows: "No vessel constructed under the provisions of this Act, as amended, shall be sold by the Commission for operation in the foreign trade for a sum less than the estimated foreign construction cost exclusive of national defense features (determined as of the date the construction contract therefor is executed) less depreciation based on a twenty-year life, nor shall any such vessel be sold by the Commission for operation in the domestic trade for a sum less than the cost of construction in the United States exclusive of national defense features less depreciation based on a twenty-year life."

Disposition of obsolete vessels and those in laid-up fleet.

49 Stat. 2015.  
46 U. S. C., Supp.  
IV, § 1242.

Subsidies, payments on account; limitation.

49 Stat. 2002.  
46 U. S. C., Supp.  
IV, § 1173 (c).

Additional allowance on completing audit of voyage account.

Security.

52 Stat. 959.  
46 U. S. C., Supp.  
IV, § 1174.

Foreign-trade routes.  
Additional subsidy; when granted.

*Proviso.*  
Affirmative vote of 4 members of Commission required.

Special reserve fund.  
49 Stat. 2006.  
46 U. S. C., Supp.  
IV, § 1177 (c) (3).  
*Provisos.*  
Deferred payments.  
Recapture provisions.

Vessels on foreign-trade routes.  
49 Stat. 2009.  
46 U. S. C., Supp.  
IV, § 1195.  
Limitation on sale price.

Rejection of bids for charter.  
49 Stat. 2009.  
46 U. S. C., Supp. IV, § 1198 (b).

52 Stat. 962.  
46 U. S. C., Supp. IV, § 1204.

Commission finding inability to develop essential trade routes under private operation.  
49 Stat. 1989.  
46 U. S. C., Supp. IV, § 1121.

Construction and demise under bare-boat charter.

Option to purchase.

Cash payment.

Charter hire.

Payment of balance.

Mixed foreign and domestic trade.

(b) Section 706 (b) of such Act, as amended, is amended by adding at the end thereof a new sentence to read as follows: "The Commission shall reject any bid for the charter (under sections 701 to 713, both inclusive, of this title, as amended) of any vessel constructed under the provisions of this Act, as amended, if the charter hire offered by the bidder is lower than the minimum charter hire for such vessel would be if chartered under the provisions of section 714, as amended, of this title."

SEC. 12. Section 714 of such Act, as amended, is hereby amended to read as follows:

"SEC. 714. If the Commission shall find that any trade route (determined by the Commission to be an essential trade route as provided in section 211 of this Act) cannot be successfully developed and maintained and the Commission's replacement program cannot be achieved under private operation of such trade route by a citizen of the United States with vessels registered under the laws thereof, without further Government aid in addition to the financial aids authorized under titles V and VI of this Act, the Commission is authorized to have constructed, in private shipyards or in navy yards, the vessel or vessels of the types deemed necessary for such trade route, and to demise such new vessel or vessels on bare-boat charter to the American-flag operator established on such trade route, without advertisement or competition, upon an annual charter hire of not less than 5 per centum of the price (herein referred to as the 'foreign cost') at which such vessel or vessels would be sold if constructed under title V plus 3½ per centum of the depreciated foreign cost computed annually upon the basis of a twenty-year life of the vessel. Such charter may contain an option to the charterer to purchase such vessel or vessels from the Commission within five years after delivery thereof under the charter, upon the same terms and conditions as are provided in title V for the purchase of new vessels from the Commission, except that (a) the purchase price shall be the foreign cost less depreciation to the date of purchase based upon a twenty-year life; (b) the required cash payment payable at the time of such purchase shall be 25 per centum of the purchase price as so determined; (c) the charter may provide that all or any part of the charter hire paid in excess of the minimum charter hire provided for in this section may be credited against the cash payment payable at the time of such purchase; (d) the balance of the purchase price shall be paid within the years remaining of the twenty years after the date of delivery of the vessel under the charter and in approximately equal annual installments, except that the first of said installments, which shall be payable upon the next ensuing anniversary date of such delivery under the charter, shall be a proportionate part of the annual installment, interest to be payable upon the unpaid balances of 3½ per centum per annum from the date of purchase.

"Such charter shall provide for operation of the vessel exclusively in foreign trade, or on a round-the-world voyage, or on a round voyage from the west coast of the United States to a European port or ports which includes intercoastal ports of the United States, or a round voyage from the Atlantic coast of the United States to the Orient which includes intercoastal ports of the United States, or on a voyage in foreign trade on which the vessel may stop at an island possession or island Territory of the United States, and if the vessel is operated in the domestic trade on any of the above-enumerated services the charterer will pay annually to the Commission that proportion of one-twentieth of the difference between the domestic and

foreign cost of such vessel as the gross revenue derived from the domestic trade bears to the gross revenue derived from the entire voyages completed during the preceding year."

SEC. 13. Section 806 of such Act, as amended, is amended by adding at the end thereof a new subsection to read as follows:

"(d) Whoever knowingly and willfully violates any order, rule, or regulation of the United States Maritime Commission made or issued in the exercise of the powers, duties, or functions transferred to it or vested in it by this Act, as amended, for which no penalty is otherwise expressly provided, shall upon conviction thereof be subject to a fine of not more than \$500. If such violation is a continuing one, each day of such violation shall constitute a separate offense."

SEC. 14. Paragraph (8) of section 1104 (a) of such Act, as amended, is amended by striking out the word "or" before the designation "(c)", and by inserting before the period at the end of the paragraph a semicolon and the following: "or (d) in the fishing trade or industry".

Approved, August 4, 1939.

49 Stat. 2014.  
46 U. S. C., Supp.  
IV, §§ 1224, 1228.  
Penalty provisions.  
Violation of rules,  
etc., of Commission.

Ship mortgage in-  
surance.  
Eligibility provi-  
sions.  
Vessels in fishing  
trade or industry.  
52 Stat. 970.  
46 U. S. C., Supp.  
IV, § 1274.

#### [CHAPTER 418]

#### AN ACT

To provide a feasible and comprehensive plan for the variable payment of construction charges on United States reclamation projects, to protect the investment of the United States in such projects, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That for the purpose of providing for United States reclamation projects a feasible and comprehensive plan for an economical and equitable treatment of repayment problems and for variable payments of construction charges which can be met regularly and fully from year to year during periods of decline in agricultural income and unsatisfactory conditions of agriculture as well as during periods of prosperity and good prices for agricultural products, and which will protect adequately the financial interest of the United States in said projects, obligations to pay construction charges may be revised or undertaken pursuant to the provisions of this Act.

SEC. 2. As used in this Act—

(a) The term "Federal reclamation laws" shall mean the Act of June 17, 1902 (32 Stat. 388), and all Acts amendatory thereof or supplementary thereto.

(b) The term "Secretary" shall mean the Secretary of the Interior.

(c) The term "project" shall mean any reclamation or irrigation project, including incidental features thereof, authorized by the Federal reclamation laws, or constructed by the United States pursuant to said laws, or in connection with which there is a repayment contract executed by the United States, pursuant to said laws, or any project constructed or operated and maintained by the Secretary through the Bureau of Reclamation for the reclamation of arid lands or other purposes.

(d) The term "construction charges" shall mean the amounts of principal obligations payable to the United States under water-right applications, repayment contracts, orders of the Secretary, or other forms of obligation entered into pursuant to the Federal reclamation laws, excepting amounts payable for water rental or power charges, operation and maintenance and other yearly service charges, and excepting also any other operation and maintenance, interest, or

August 4, 1939

[H. R. 6984]

[Public, No. 260]

Reclamation Proj-  
ect Act of 1939.  
Purposes of Act.

Definitions.  
"Federal reclama-  
tion laws."  
32 Stat. 388.  
43 U. S. C. ch. 12;  
Supp. IV, ch. 12.

"Secretary."

"Project."

"Construction  
charges."

other charges which are not covered into the principal sums of the construction accounts of the Bureau of Reclamation.

"Repayment contract."

(e) The term "repayment contract" shall mean any contract providing for payment of construction charges to the United States.

"Project contract unit."

(f) The term "project contract unit" shall mean a project or any substantial area of a project which is covered or is proposed to be covered by a repayment contract. On any project where two or more repayment contracts in part cover the same area and in part different areas, the area covered by each such repayment contract shall be a separate project contract unit. On any project where there are either two or more repayment contracts on a single project contract unit or two or more project contract units, the repayment contracts or project contract units may be merged by agreements in form satisfactory to the Secretary.

"Organization."

(g) The term "organization" shall mean any conservancy district, irrigation district, water users' association, or other organization, which is organized under State law and which has capacity to enter into contracts with the United States pursuant to the Federal reclamation laws.

"Annual returns."

(h) The term "annual returns" shall mean the amount of the annual gross crop returns per acre of the area in cultivation within the project contract unit involved; and the term "normal returns" for any year shall mean the weighted average of the annual returns of those ten years, of the thirteen-year period covering said year and the twelve years preceding it, in which the annual returns are the highest.

"Division of a project."

(i) The term "division of a project" shall mean any part of a project designated as a division by order of the Secretary or any phase or feature of project operations given a separate designation as a division by order of the Secretary for the purposes of orderly and efficient administration.

"Development unit."

(j) The term "development unit" shall mean a part of a project which, for purposes of orderly engineering or reclamation development, is designated as a development unit by order of the Secretary.

"Irrigation block."

(k) The term "irrigation block" shall mean an area of arid or semiarid lands in a project in which, in the judgment of the Secretary, the irrigable lands should be reclaimed and put under irrigation at substantially the same time, and which is designated as an irrigation block by order of the Secretary.

Modification of existing repayment contracts authorized.

SEC. 3. In connection with any repayment contract or other form of obligation, existing on the date of this Act, to pay construction charges, providing for repayment on the basis of a definite period, the Secretary is hereby authorized, upon request by the water users involved or their duly authorized representatives for amendment under this section of said contract or other form of obligation, and if in the Secretary's judgment such amendment is both practicable and in keeping with the general purpose of this Act, to amend said contract or other form of obligation so as to provide that the construction charges remaining unaccrued on the date of the amendment, or any later date agreed upon, shall be spread in definite annual installments on the basis of a longer definite period fixed in each case by the Secretary: *Provided*, That for any construction charges said longer period shall not exceed forty years, exclusive of 1931 and subsequent years to the extent of moratoria or deferments of construction charges due and payable for such years effected pursuant to Acts of Congress, from the date when the first installment of said construction charges became due and payable under the original obligation to pay said construction charges and in no event shall the unexpired part of said longer period exceed double the number

Spread of unaccrued construction charges in definite annual installments.

*Proviso.*  
Limitation.

of remaining years, as of the date of the amendment made pursuant to this Act, in which installments of said construction charges would become due and payable under said existing repayment contract or other form of obligation to pay construction charges.

SEC. 4. (a) In connection with any existing project on which construction charges are payable to the United States, the Secretary is hereby authorized to negotiate and enter into a contract or an amendatory contract, in a form satisfactory to him, with an organization, satisfactory in form and powers to him, representing the water users of the project contract unit involved, which contract shall provide for the payment of construction charges on said project contract unit in the manner hereinafter provided in this section. The negotiation and execution of such a contract shall be undertaken only upon request by duly authorized representatives of the water users involved for such a contract and upon a determination by the Secretary that, in his judgment, such a contract is both practicable and in keeping with the general purpose of this Act.

Construction charges on existing projects, amendatory contract form provisions.

(b) All of the construction charges for the project contract unit remaining unaccrued on the date of the contract entered into pursuant to this section or on any later date agreed upon shall be merged in a total and general repayment obligation of the organization. Said repayment obligation of said organization shall be scheduled in such annual installments as, in the judgment of the Secretary, constitute an equitable, practicable, and definite consolidated schedule of the existing obligations in said project contract unit to pay construction charges: *Provided*, That said schedule of installments shall be so arranged that in the judgment of the Secretary it does not involve for any of said construction charges merged into said general obligation an extension of the time permitted under the existing obligations for payment of said charges excepting the adjustment of the repayment period permitted for certain charges by the last sentence of this subsection. For the purpose of scheduling said installments of said general obligation in accordance with this subsection, in connection with each project contract unit under an existing contract made pursuant to section 4 of the Act of December 5, 1924 (43 Stat. 672, 701), the Secretary shall fix a weighted average gross crop return per acre, of which 5 per centum shall be the measure for determining the schedule of the unaccrued construction charges in a definite number of annual installments. In the event the said existing obligations to pay construction charges in said project contract unit or units are based in part on section 4 of the Act of December 5, 1924 (43 Stat. 672, 701), and in part on other Acts of the Federal reclamation laws, said charges may be consolidated into two general repayment contract obligations of said organization, each of which shall be scheduled in such installments as, in the judgment of the Secretary, constitute an equitable, practicable, and definite consolidated schedule of all of the respective parts of said existing obligations to pay construction charges. Any of said unaccrued construction charges, which under said existing obligations are payable on the basis of a definite period, first may be adjusted by the Secretary, if in his judgment such adjustment is both practicable and in keeping with the general purpose of this Act, to a repayment basis of a longer definite period fixed in each case by him: *Provided*, That for any such construction charges said longer period shall not exceed the limitations contained in the proviso of section 3 of this Act.

Unaccrued charges on date of new contract, merger into a total repayment obligation.

Repayments in annual installments.

*Proviso.*  
Arrangement of schedules of installments.

Measure for determining schedule of installments.

43 Stat. 701.

Consolidation where existing contracts are under different Acts.

Repayment installments.

Readjustment of existing payment periods.

*Proviso.*  
Limitation.

Census of annual returns.

(c) For each project contract unit where a repayment contract is entered into pursuant to this section, a census of annual returns shall be taken each year. The normal returns each year, for each such

*Provisos.*  
Estimate in lieu of  
final determination.

Determination by  
established annual re-  
turns.

Assistance of local  
interests.

Variable repayment  
provisions.

Determination.

Provisions for in-  
cluding in future in-  
stallments any part of  
installment not due,  
etc.

*Proviso.*  
Restriction on revi-  
sion or establishment  
in amount exceeding  
largest installment.

Additional charge  
on balance of repay-  
ment contract.

project contract unit, shall be determined by the Secretary: *Provided*, That in any year, if the Secretary deems it necessary, an estimate of the annual returns of that year, in lieu of a final determination thereof, shall be considered with the annual returns of the preceding twelve years: *Provided further*, That in the event records of annual returns of the lands involved are not available for twelve preceding years, the Secretary, until such records for twelve preceding years have been established, in his discretion may consider established annual returns of other and similar lands in other and similar project contract units for the purpose of determining each year the normal returns. The estimates and final determinations of annual returns and the determinations of normal returns provided for in this Act shall be made by the Secretary with such assistance from the water users and organization involved as he requests, and said estimates and determinations made by him shall be conclusive.

(d) For each project contract unit where a repayment contract is entered into pursuant to this section, each year the percent of the normal returns for said year by which the annual returns of said year exceed or are less than said normal returns shall be determined by the Secretary. For each unit or major fraction of a unit of said percentage of said increase or decrease there shall be an increase or decrease, respectively, of 2 per centum in the amount or amounts of the installment or installments for said year under the organization's obligation or obligations as determined under subsections (b) and (e) of this section. Said latter amount or amounts as thus increased or decreased shall be the payment or payments of construction charges due and payable for said year, except that in no event shall the amount of the said payment or payments due and payable for any year be less than 15 per centum of the amount or amounts of the installment or installments for said year under the organization's obligation or obligations as determined under subsections (b) and (e) of this section.

(e) In each contract entered into pursuant to this section, there shall be such provisions as the Secretary deems equitable, necessary, and proper to provide that any part of the amount of any installment of an organization's obligation, as determined under subsection (b) of this section, which, in the year for which said installment is designated under said subsection (b), does not, by reason of the operation of subsection (d) of this section, become due and payable as construction charges for said year, shall be added to an installment or installments of subsequent years for which installments are designated under said subsection (b) or shall be established as an installment or installments or parts thereof of years subsequent to the last year for which an installment is designated under said subsection (b), or both; and there shall be similar provisions respecting any such part of the amount of any installment modified or established under this subsection: *Provided*, That under this subsection no installment may be revised to or established in an amount exceeding the amount of the largest installment as determined under said subsection (b), and there shall be included in the contract such provisions as the Secretary deems proper for offsetting the increases and decreases in annual installments which result from the operation of said subsection (d).

(f) In any contract entered into pursuant to the authority of this section, it shall be provided that from and after the date of the last installment of the organization's repayment contract obligation or obligations as determined under subsection (b) of this section, a charge of 3 per centum per annum shall be payable by the organization on any balance or balances of said organization's obligation or

obligations which have not become due and payable by reason of the operation of subsection (d) of this section, until the same have become due and payable as construction charges under said subsection (d), and said charge of 3 per centum shall be payable by the organization to the United States on the same dates as, and in addition to, the annual payments otherwise required under this section.

(g) There may be included in any contract entered into pursuant to the authority of this section provisions requiring the organization to vary its distribution of construction charges in a manner that takes into account the productivity of the various classes of lands and the benefits accruing to the lands by reason of the irrigation thereof: *Provided*, That no distribution of construction charges over the lands included in the organization shall in any manner be deemed to relieve the organization, or any party or any land therein, of the organization's general obligation to repay to the United States in full the total amount of the organization's repayment contract obligation or obligations as determined under subsection (b) of this section.

Provisions for varying distribution of construction charges.

Proviso.  
Federal repayment.

SEC. 5. The Secretary in his discretion may require, in connection with any contract entered into pursuant to the authority of this Act, that the contract provide (1) that the payments for each year to be made to the United States shall become due and payable on such date or dates, not exceeding two, in each year as the Secretary determines will be substantially contemporaneous with the time or times in each year when water users receive crop returns and (2) if the contract be with an organization, that assessments or levies for the purpose of obtaining moneys sufficient to meet the organization's payments under said contract shall be made and shall become due and payable within a certain period or periods of time prior to the date or dates on which the organization's payments to the United States are due and payable, said period or periods of time to be agreed upon in each said contract.

Time for payment and collection of construction charges.

The Secretary may provide such deferments of construction charges as in his judgment are necessary to prevent said requirements from resulting in inequitable pyramiding of payments of said charges.

Deferments of charges.

SEC. 6. In connection with any contract, relating to construction charges, entered into pursuant to the authority of this Act, the Secretary is hereby authorized to require such provisions as he deems proper to secure the adoption of proper accounting, to protect the condition of project works and to provide for the proper use thereof, and to protect project lands against deterioration due to improper use of water. Any such contract shall require advance payment of adequate operation and maintenance charges. The Secretary is further authorized, in his discretion, to require such provisions as he deems proper to penalize delinquencies in payments of construction charges or operation and maintenance charges: *Provided*, That in any event there shall be penalties imposed on account of delinquencies of not less than one-half of 1 per centum per month of the delinquent charge from and after the date when such charge becomes due and payable: *Provided further*, That any such contract shall require that no water shall be delivered to lands or parties which are in arrears in the advance payment of operation and maintenance or toll charges, or to lands or parties which are in arrears for more than twelve months in the payment of construction charges due from such lands or parties to the United States or to the organization in which the lands or parties are included, or to any lands or parties included in an organization which is in arrears in the advance payment of operation and maintenance or toll charges or in arrears more than twelve months in the payment of construction charges due from such organization to the United States.

Proper accounting prescribed.

Delinquencies.

Provisos.  
Penalties for delinquencies.

No water if in arrears in advance payment, etc.



Repayment problems, investigation.

SEC. 7. (a) The Secretary is hereby authorized and directed to investigate the repayment problems of any existing project contract unit in connection with which, in his judgment, a contract under section 3 or 4 of this Act would not be practicable nor provide an economically sound adjustment, and to negotiate a contract which, in his judgment, both would provide fair and equitable treatment of the repayment problems involved and would be in keeping with the general purpose of this Act.

Work now under construction, allocations of costs.

Negotiation of repayment contract.

Development period.

*Proviso.*  
Delivery of water at close.

Delivery during development period on toll-charge basis.

(b) For any project, division of a project, development unit of a project, or supplemental works on a project, now under construction or for which appropriations have been made, and in connection with which a repayment contract has not been executed, allocations of costs may be made in accordance with the provisions of section 9 of this Act and a repayment contract may be negotiated, in the discretion of the Secretary, (1) pursuant to the authority of subsection (a) of this section or (2) in accordance, as near as may be, with the provisions in subsection 9 (d) or 9 (e) of this Act. In connection with any such project, division, or development unit, on which the majority of the lands involved are public lands of the United States, the Secretary, prior to entering into a repayment contract, may fix a development period for each irrigation block, if any, of not to exceed ten years from and including the first year in which water is delivered for the lands in said block: *Provided*, That in the event a development period is fixed prior to execution of a repayment contract, execution thereof shall be a condition precedent to delivery of water after the close of the development period. During any such development period water shall be delivered to the lands in the irrigation block involved only on a toll-charge basis, at a charge per annum per acre-foot to be fixed by the Secretary each year and to be collected in advance of delivery of water. Pending negotiation and execution of a repayment contract for any other such project, division, or development unit, water may be delivered for a period of not more than five years from the date of this Act on the same toll-charge basis. Any such toll charges collected and which the Secretary determines to be in excess of the cost of operation and maintenance during the toll-charge period shall be credited to the construction cost of the project in the manner determined by the Secretary.

Report to Congress.

(c) The Secretary from time to time shall report to the Congress on any proposed contracts negotiated pursuant to the authority of subsection (a) or (b) (1) of this section, and he may execute any such contract on behalf of the United States only after approval thereof has been given by Act of Congress.

Classification of lands.

SEC. 8. (a) The Secretary is hereby authorized and directed in the manner hereinafter provided to classify or to reclassify, from time to time but not more often than at five-year intervals, as to irrigability and productivity those lands which have been, are, or may be included within any project.

Request required.

(b) No classification or reclassification pursuant to the authority of this Act shall be undertaken unless a request therefor, by an organization or duly authorized representatives of the water users, in the form required by subsection (c) of this section has been made of the Secretary. The Secretary shall plan the classification work, undertaken pursuant to the authority of this section, in such manner as in his judgment will result in the most expeditious completion of the work.

Secretary to plan work.

Request for land classification to be accompanied by list of lands to be examined.

(c) In any request made to the Secretary for a land classification or reclassification under this section, the organization or representatives of the water users shall furnish a list of those lands which are considered to be of comparatively low productivity or to be nonpro-

ductive, and of those lands which are considered to be of greater or lesser productivity than indicated by existing classifications, if any, made pursuant to the Federal reclamation laws, and shall furnish also such data relating thereto as the Secretary by regulation may require.

(d) Upon receipt of any such request the Secretary shall make a preliminary determination whether the requested land classification or reclassification probably is justified by reason of the conditions of the lands involved and other pertinent conditions of the project, including its contractual relations with the United States.

Preliminary determination.

(e) If the Secretary finds probable justification and if the advance to the United States hereinafter required is made, he shall undertake as soon as practicable the classification or reclassification of the lands listed in the request, and of any other lands which have been, are, or may be included within the project involved and which in his judgment should be classified or reclassified.

Classification if deemed justifiable.

(f) As soon as practicable after completion of the classification work undertaken pursuant to this section, or from time to time, the Secretary shall report to Congress on the classifications and reclassifications made and shall include in his report, as to each project involved, his recommendations, if any, for remedial legislation.

Report to Congress.

(g) One-half of the expense involved in any classification work undertaken pursuant to this section shall be charged to operation and maintenance administration nonreimbursable; and one-half shall be paid in advance by the organization involved. On determining probable justification for the requested classification or reclassification as provided in this section, the Secretary shall estimate the cost of the work involved and shall submit a statement of the estimated cost to said organization. Said organization, before commencement of the work, shall advance to the United States one-half of the amount set forth in said statement and also shall advance one-half of the amount of supplementary estimates of costs which the Secretary may find it necessary to make from time to time during the progress of the work; and said amounts shall be and remain available for expenditure by the Secretary for the purposes for which they are advanced, until the work is completed or abandoned. After completion or abandonment of the work, the Secretary, shall determine the actual costs thereof; and said organization shall pay any additional amount required to make its total payments hereunder equal to one-half of the actual cost or shall be credited with any amount by which advances made by it exceed one-half of said actual cost, as the case may be.

Division of expense.

Advance payment.

Determination of actual costs; payment by organization.

(h) If in the judgment of the Secretary a classification or reclassification pursuant to the provisions of this section is a necessary preliminary to entering into a contract under section 3 or 4 of this Act, he may require the same as a condition precedent to entering into such a contract.

Classification or reclassification if necessary.

(i) No modification of any existing obligation to pay construction charges on any project shall be made by reason of any classification or reclassification undertaken pursuant to this section without express authority therefor granted by Congress upon recommendations of the Secretary made in a report under subsection (f) of this section.

Modification of existing obligation to pay charges, limitation.

SEC. 9. (a) No expenditures for the construction of any new project, new division of a project, or new supplemental works on a project shall be made, nor shall estimates be submitted therefor, by the Secretary until after he has made an investigation thereof and has submitted to the President and to the Congress his report and findings on—

Preliminary investigations of new projects.

Report and findings.

- (1) the engineering feasibility of the proposed construction;
- (2) the estimated cost of the proposed construction;

(3) the part of the estimated cost which can properly be allocated to irrigation and probably be repaid by the water users;

(4) the part of the estimated cost which can properly be allocated to power and probably be returned to the United States in net power revenues;

(5) the part of the estimated cost which can properly be allocated to municipal water supply or other miscellaneous purposes and probably be returned to the United States.

Construction, etc.

If the proposed construction is found by the Secretary to have engineering feasibility and if the repayable and returnable allocations to irrigation, power, and municipal water supply or other miscellaneous purposes found by the Secretary to be proper, together with any allocation to flood control or navigation made under subsection (b) of this section, equal the total estimated cost of construction as determined by the Secretary, then the new project, new division of a project, or supplemental works on a project, covered by his findings, shall be deemed authorized and may be undertaken by the Secretary. If all such allocations do not equal said total estimated cost, then said new project, new division, or new supplemental works may be undertaken by the Secretary only after provision therefor has been made by Act of Congress enacted after the Secretary has submitted to the President and the Congress the report and findings involved.

Allocations to flood control, etc.

(b) In connection with any new project, new division of a project, or supplemental works on a project there may be allocated to flood control or navigation the part of said total estimated cost which the Secretary may find to be proper. Items for any such allocations made in connection with projects which may be undertaken pursuant to subsection (a) of this section shall be included in the estimates of appropriations submitted by the Secretary for said projects, and funds for such portions of the projects shall not become available except as directly appropriated or allotted to the Department of the Interior. In connection with the making of such an allocation, the Secretary shall consult with the Chief of Engineers and the Secretary of War, and may perform any of the necessary investigations or studies under a cooperative agreement with the Secretary of War. In the event of such an allocation the Secretary of the Interior shall operate the project for purposes of flood control or navigation, to the extent justified by said allocation therefor.

Cooperation of War Department.

Municipal water supply, etc.

Provisos.  
Repayments.

(c) The Secretary is authorized to enter into contracts to furnish water for municipal water supply or miscellaneous purposes: *Provided*, That any such contract either (1) shall require repayment to the United States, over a period of not to exceed forty years from the year in which water is first delivered for the use of the contracting party, with interest not exceeding the rate of 3½ per centum per annum if the Secretary determines an interest charge to be proper, of an appropriate share as determined by the Secretary of that part of the construction costs allocated by him to municipal water supply or other miscellaneous purposes; or (2) shall be for such periods, not to exceed forty years, and at such rates as in the Secretary's judgment will produce revenues at least sufficient to cover an appropriate share of the annual operation and maintenance cost and an appropriate share of such fixed charges as the Secretary deems proper, and shall require the payment of said rates each year in advance of delivery of water for said year. Any sale of electric power or lease of power privileges, made by the Secretary in connection with the operation of any project or division of a project, shall be for such periods, not to exceed forty years, and at such rates as in his judgment will produce power revenues at least sufficient to cover an appropriate share of the annual operation and maintenance cost,

Power privileges.

interest on an appropriate share of the construction investment at not less than 3 per centum per annum, and such other fixed charges as the Secretary deems proper: *Provided further*, That in said sales or leases preference shall be given to municipalities and other public corporations or agencies; and also to cooperatives and other non-profit organizations financed in whole or in part by loans made pursuant to the Rural Electrification Act of 1936 and any amendments thereof. Nothing in this subsection shall be applicable to provisions in existing contracts, made pursuant to law, for the use of power and miscellaneous revenues of a project for the benefit of users of water from such project. The provisions of this subsection respecting the terms of sales of electric power and leases of power privileges shall be in addition and alternative to any authority in existing laws relating to particular projects. No contract relating to municipal water supply or miscellaneous purposes or to electric power or power privileges shall be made unless, in the judgment of the Secretary, it will not impair the efficiency of the project for irrigation purposes.

(d) No water may be delivered for irrigation of lands in connection with any new project, new division of a project, or supplemental works on a project until an organization, satisfactory in form and powers to the Secretary, has entered into a repayment contract with the United States, in a form satisfactory to the Secretary, providing among other things—

(1) That the Secretary may fix a development period for each irrigation block, if any, of not to exceed ten years from and including the first calendar year in which water is delivered for the lands in said block; and that during the development period water shall be delivered to the lands in the irrigation block involved at a charge per annum per acre-foot, or other charge, to be fixed by the Secretary each year and to be paid in advance of delivery of water: *Provided*, That where the lands included in an irrigation block are for the most part lands owned by the United States, the Secretary, prior to execution of a repayment contract, may fix a development period, but in such case execution of such a contract shall be a condition precedent to delivery of water after the close of the development period. After the close of the development period, any such charges collected and which the Secretary determines to be in excess of the cost of the operation and maintenance during the development period shall be credited to the construction cost of the project in the manner determined by the Secretary.

(2) That the part of the construction costs allocated by the Secretary to irrigation shall be included in a general repayment obligation of the organization; and that the organization may vary its distribution of construction charges in a manner that takes into account the productivity of the various classes of lands and the benefits accruing to the lands by reason of the construction: *Provided*, That no distribution of construction charges over the lands included in the organization shall in any manner be deemed to relieve the organization or any party or any land therein of the organization's general obligation to the United States.

(3) That the general repayment obligation of the organization shall be spread in annual installments, of the number and amounts fixed by the Secretary, over a period not exceeding forty years, exclusive of any development period fixed under subsection (d) (1) of this section, for any project contract unit, or for any irrigation block, if the project contract unit be divided into two or more irrigation blocks.

Preferential sales to municipalities, etc.

49 Stat. 1363.  
7 U. S. C., Supp.  
IV, §§ 901-914.

Prescribed provisions additional to existing laws.

Contract restrictions.

Repayment contracts for new projects.

Provisions.

Development period; delivery of water during period, charge.

*Proviso.* Where block is mostly Government lands.

Credit of collections after close of period.

Part allocated to irrigation, repayment plan.

Distribution of construction charges.

*Proviso.* No release of general obligation.

Spread of general repayment obligation.

First annual installment, accrual date.

(4) That the first annual installment for any project contract unit, or for any irrigation block, as the case may be, shall accrue, on the date fixed by the Secretary, in the year after the last year of the development period or, if there be no development period, in the calendar year after the Secretary announces that the construction contemplated in the repayment contract is substantially completed or is advanced to a point where delivery of water can be made to substantially all of the lands in said unit or block to be irrigated; and if there be no development period fixed, that prior to and including the year in which the Secretary makes said announcement water shall be delivered only on the toll charge basis hereinbefore provided for development periods.

Yearly installment of organization's repayment obligation.

(5) Either (A) that each year the installment of the organization's repayment obligation scheduled for such year shall be the construction charges due and payable by the organization for such year; or (B) that each year the installment for such year of the organization's repayment obligation shall be increased or decreased on the basis of the normal and percentages plan provided in section 4 of this Act for modification of existing obligations to pay construction charges, and the amount of the annual installment of the organization's obligation, as thus increased or decreased, shall be the construction charges due and payable for such year. Under "(B)" of this subsection the provisions of section 4 of this Act shall be applicable, as near as may be, to the repayment contract made in connection with the new project, new division of a project or supplemental works on a project; and the organization shall make payments on the basis therein provided until its general repayment obligation has become due and payable to the United States in full.

Short- or long-term contracts to furnish water for irrigation purposes.

(e) In lieu of entering into a repayment contract pursuant to the provisions of subsection (d) of this section to cover that part of the cost of the construction of works connected with water supply and allocated to irrigation, the Secretary, in his discretion, may enter into either short- or long-term contracts to furnish water for irrigation purposes. Each such contract shall be for such period, not to exceed forty years, and at such rates as in the Secretary's judgment will produce revenues at least sufficient to cover an appropriate share of the annual operation and maintenance cost and an appropriate share of such fixed charges as the Secretary deems proper, due consideration being given to that part of the cost of construction of works connected with water supply and allocated to irrigation; and shall require payment of said rates each year in advance of delivery of water for said year. In the event such contracts are made for furnishing water for irrigation purposes, the costs of any irrigation water distribution works constructed by the United States in connection with the new project, new division of a project, or supplemental works on a project, shall be covered by a repayment contract entered into pursuant to said subsection (d).

Removal of sand, gravel, etc.

SEC. 10. The Secretary, in his discretion, may (a) permit the removal, from lands or interests in lands withdrawn or acquired and being administered under the Federal reclamation laws in connection with the construction or operation and maintenance of any project, of sand, gravel, and other minerals and building materials with or without competitive bidding: *Provided*, That removals may be permitted without charge if for use by a public agency in the construction of public roads or streets within any project or in its immediate

*Proviso.*  
Removals without charge if for public use.

vicinity; and (b) grant leases, licenses, easements, or rights-of-way, for periods not to exceed fifty years, affecting lands or interests in lands withdrawn or acquired and being administered under the Federal reclamation laws in connection with the construction or operation and maintenance of any project. Such permits or grants shall be made only when, in the judgment of the Secretary, their exercise will not be incompatible with the purposes for which the lands or interests in lands are being administered, and shall be on such terms and conditions as in his judgment will adequately protect the interests of the United States and the project for which said lands or interests in lands are being administered.

SEC. 11. The Secretary in his discretion, in any instances where property to be sold under the Act of February 2, 1911 (36 Stat. 805), or the Act of May 20, 1920 (41 Stat. 605), is appraised at not to exceed \$300, may sell said property at public or private sale without complying with the provisions of said Acts as to notice, publication, and mode of sale.

SEC. 12. When appropriations have been made for the commencement or continuation of construction or operation and maintenance of any project, the Secretary may, in connection with such construction or operation and maintenance, enter into contracts for miscellaneous services, for materials and supplies, as well as for construction, which may cover such periods of time as the Secretary may consider necessary but in which the liability of the United States shall be contingent upon appropriations being made therefor.

SEC. 13. The purchase of supplies and equipment or the procurement of services for the Bureau of Reclamation at the seat of government and elsewhere may be made in the open market without compliance with section 3709 or section 3744 of the Revised Statutes of the United States, in the manner common among businessmen, when the aggregate payment for the purchase or the services does not exceed \$300 in any instance.

SEC. 14. The Secretary is hereby authorized, in connection with the construction or operation and maintenance of any project, (a) to purchase or condemn suitable lands or interests in lands for relocation of highways, roadways, railroads, telegraph, telephone, or electric transmission lines, or any other properties whatsoever, the relocation of which in the judgment of the Secretary is necessitated by said construction or operation and maintenance, and to perform any or all work involved in said relocations on said lands or interests in lands, other lands or interests in lands owned and held by the United States in connection with the construction or operation and maintenance of said project, or properties not owned by the United States; (b) to enter into contracts with the owners of said properties whereby they undertake to acquire any or all property needed for said relocation, or to perform any or all work involved in said relocations; and (c) for the purpose of effecting completely said relocations, to convey or exchange Government properties acquired or improved under (a) above, with or without improvements, or other properties owned and held by the United States in connection with the construction or operation and maintenance of said project, or to grant perpetual easements therein or thereover. Grants or conveyances hereunder shall be by instruments executed by the Secretary without regard to provisions of law governing the patenting of public lands.

The Secretary is further authorized, for the purpose of orderly and economical construction or operation and maintenance of any project, to enter into such contracts for exchange or replacement of water, water rights, or electric energy or for the adjustment of

Leases, easements, etc.

Condition.

Sale of lands not needed for reclamation projects.  
36 Stat. 895; 41 Stat. 605.  
43 U. S. C. §§ 374, 375.

Contracts for miscellaneous services.

Purchase of supplies, procurement of services, etc.

R. S. §§ 3709, 3744.  
41 U. S. C. §§ 5, 16.

Acquisitions for relocation of highways, etc.

Contracts.

Contracts for exchange of water, etc., authorized.

Administration.

water rights, as in his judgment are necessary and in the interests of the United States and the project.

SEC. 15. The Secretary is hereby authorized to perform any and all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this Act into full force and effect.

Laws not inconsistent in full force.

SEC. 16. The provisions of previous Acts of Congress not inconsistent with the provisions of this Act shall remain in full force and effect.

Modification of existing contracts, duration of authority.

SEC. 17. (a) The authority granted in sections 3 and 4 of this Act for modification of existing repayment contracts or other forms of obligations to pay construction charges shall continue for five years from the date of this enactment in order to provide opportunity for negotiating and consummating said modifications and opportunity for enactment by the legislature of any State in which a project contract unit is located of any legislation which may be necessary to empower water users and organizations to execute and carry out the provisions of contracts entered into pursuant to the authority of this Act.

Time extensions for payment of construction charges, years 1939-1943.

(b) The authority of the Secretary under the Act entitled "An Act to authorize further relief to water users on United States and on Indian reclamation projects", approved May 31, 1939 (Public, Numbered 97, Seventy-sixth Congress, first session), is hereby extended in connection with the construction charges due and payable, under any existing obligation to pay construction charges, for each of the years 1939 to 1943, inclusive, to the extent such charges are not covered by modification of said obligation under section 3 or 4 of this Act.

*Ante*, p. 792.

Boulder Canyon Project Act, provisions not affected. 45 Stat. 1057. 43 U. S. C. §§ 617-617t. Short title.

SEC. 18. Nothing in this Act shall be construed to amend the Boulder Canyon Project Act (45 Stat. 1057), as amended.

SEC. 19. This Act may be cited as the "Reclamation Project Act of 1939".

Approved, August 4, 1939.

#### [CHAPTER 419]

#### AN ACT

August 4, 1939  
[S. 1773]

[Public, No. 261]

To provide that no statute of limitations shall apply to offenses punishable by death.

Offenses punishable by death. Statute of limitations not to apply.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That an indictment for any offense punishable by death may be found at any time without regard to any statute of limitations.

Offenses now barred by existing law.

SEC. 2. This Act shall not authorize prosecution, trial, or punishment for any offense now barred by the provisions of existing law.

Approved, August 4, 1939.

#### [CHAPTER 420]

#### AN ACT

August 4, 1939  
[S. 1553]

[Public, No. 262]

To provide for the acceptance of an easement with respect to certain lands in New Mexico, and for other purposes.

New Mexico. Acceptance of grant of perpetual easement with respect to certain lands in.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the grant of a perpetual easement to the United States Government and the Works Progress Administration pursuant to an instrument dated November 15, 1935, and recorded on December 22, 1936, for the construction and maintenance of a dam and reservoir in Bear Canyon, on the Mimbres River, in Grant County, New Mexico, located in

sections 28 and 29, township 16 south, range 11 west, New Mexico principal meridian, be, and the same hereby is, accepted.

SEC. 2. The Commissioner of Work Projects is hereby authorized and directed to acquire by purchase, condemnation, or otherwise, such other lands and interests in land as he may deem necessary for use in connection with the maintenance of said dam and reservoir and to carry out the purposes of this Act.

SEC. 3. For the purpose of carrying out the provisions of section 2 of this Act, the Commissioner of Work Projects is hereby authorized to use funds heretofore or hereafter appropriated to, or for, the Work Projects Administration.

Approved, August 4, 1939.

[CHAPTER 421]

JOINT RESOLUTION

To provide for the adjudication by a Commissioner of claims of American nationals against the Government of the Union of Soviet Socialist Republics.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President be, and he is hereby, authorized to appoint a Commissioner learned in the law to determine the validity and amounts of the claims of American nationals against the Government of the Union of Soviet Socialist Republics and to fill any vacancy in the same manner that the original appointment was made.

SEC. 2. The salary of the Commissioner shall be at the rate of \$9,000 a year. He shall have a secretary and such additional legal, clerical, and other assistants as may be approved and appointed by the Secretary of State, and at such rates of compensation as may be fixed by him within the limits of appropriated funds. Such persons may be appointed without reference to civil-service laws and rules or the Classification Act of 1923, as amended.

SEC. 3. The Commissioner shall be allowed the necessary actual expenses of office rent, furniture, stationery, books, printing, travel expenses when on official business outside the city of Washington, and other incidental expenses which he may certify as necessary and which shall be approved by the Secretary of State.

SEC. 4. Before entering upon his duties the Commissioner shall take a solemn oath faithfully and impartially to examine the claims and to give his decisions in accordance with his best judgment and such principles of law as may be applicable. The decisions of the Commissioner shall be in writing, and shall be final and conclusive as to the merits of all cases decided. No claim within the Commissioner's jurisdiction which shall not have been presented to him within twelve months from the date he enters upon the duties of his office shall be considered by him.

SEC. 5. (a) The Commissioner shall perform his duties in the city of Washington beginning within a period of fifteen days from the date of his appointment. He shall as soon as practicable make all necessary rules and regulations not inconsistent with this resolution or the laws of the United States, governing the method of procedure before him in carrying into effect the provisions of this resolution.

(b) For the purpose of any investigation which, in the opinion of the Commissioner, is necessary for carrying out the provisions of this Act, he is empowered to administer oaths and affirmations, subpoena witnesses, take evidence, and require the production of books, papers, or other documents which he considers relevant to any case within his jurisdiction. Any person knowingly and willfully swearing or affirming falsely in any such proceedings shall be deemed guilty of

Acquisition of other lands.

Use of funds authorized.

August 4, 1939  
[H. J. Res. 315]  
[Pub. Res., No. 36]

Union of Soviet Socialist Republics.  
Adjudication of claims against Government of.  
Appointment of Commissioner.

Commissioner's salary; secretary and other assistants.

5 U. S. C. §§ 661-674; Supp. IV, §§ 673, 673c.

Expense allowances.

Oath of office.

Decisions.

Time limitation for filing claims.

Location of office, method of procedure, etc.

Administration of oaths.

Perjury.



Attendance of witnesses and production of documentary evidence.  
Enforcement.

Completion within two years.

Report.

Transfer of records, etc., to Secretary of State upon termination of work.

Appropriation authorized.

Administrative expenses a first charge on moneys received.

perjury and shall, upon conviction, suffer the punishment provided by the laws of the United States for that offense when committed in its courts of justice.

(c) The attendance of witnesses and the production of documentary evidence may be required from any place in the United States at any designated place of hearing. Any failure to attend as a witness or to testify as a witness or to produce documentary evidence in an appropriate case may be regarded as a contempt of the authority of the Commissioner and shall be punishable in any court of the United States in the same manner as is provided by the laws of the United States for that offense when committed in its courts of justice.

SEC. 6. The work of the Commissioner shall be completed within two years from the date on which he undertakes the performance of his duties, at which time the authority vested in him by this resolution shall terminate.

SEC. 7. The Commissioner shall upon the completion of his work submit a written report to the Secretary of State. This report shall include a statement of the expenses of the Commissioner, a list of all claims presented to him, and his decision in each case.

SEC. 8. When the work of the Commissioner is terminated, the records, books, documents, and all property of the United States, in the possession of the Commissioner or his staff, shall be turned over to the Secretary of State.

SEC. 9. Appropriations are hereby authorized for the purpose of carrying into effect the provisions of this resolution, not exceeding \$25,000 in any year.

SEC. 10. Any and all expenditures made in carrying out this resolution shall be a first charge on any moneys which have been received, or may hereafter be received, in settlement of the claims described in section 1.

Approved, August 4, 1939.

#### [CHAPTER 426]

#### AN ACT

August 4, 1939  
[S. 281]  
[Public, No. 263]

Civil Service Retirement Act, amendments.

46 Stat. 471.  
5 U. S. C. § 693;  
Supp. IV, § 693.

Exclusions.  
Lighthouse Service employees.  
40 Stat. 608.  
33 U. S. C. § 763.

Police and fire departments, D. C.  
Employees excluded by Executive orders.

Extension of provisions by Executive order.

Discretionary exclusion if tenure intermittent, etc.

To amend further the Civil Service Retirement Act, approved May 29, 1930.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 3 of the Act of May 29, 1930, as amended, is amended by striking out all of that portion thereof beginning with paragraph (g) and continuing to the end of the section and inserting in lieu thereof the following:

“(g) This Act shall not apply to such employees of the Lighthouse Service as come within the provisions of section 6 of the Act of June 20, 1918, entitled ‘An Act to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes’, nor to members of the police and fire departments of the municipal government of the District of Columbia, nor to such employees or groups of employees as may have been before the effective date of this Act excluded by Executive orders from the benefits of the Act of May 22, 1920, and amendments thereof.

“(h) The provisions of this Act may be extended by Executive order, upon recommendation of the Civil Service Commission, to apply to any employee or group of employees in the civil service of the United States not included at the time of its passage. The President shall have power, in his discretion, to exclude from the operation of this Act any employee or group of employees in the civil service whose tenure of office or employment is intermittent or of uncertain duration.

"(i) Any officer or employee to whom the Act of July 13, 1937 (Public, Numbered 206, Seventy-fifth Congress, first session), applies who has failed to exercise the option provided thereby to come within the terms of the Retirement Act of May 29, 1930, as amended, may exercise such option within six months from the effective date of this Act."

Extension to certain personnel of legislative and judicial branches.

50 Stat. 512; 52 Stat. 1197.

5 U. S. C., Supp. IV, §§ 693b-d, 698b, 715d, 719a.

SEC. 2. Strike out all of section 4 of the Act of May 29, 1930, as amended, and insert in lieu thereof the following, so that this section shall read:

Section amended.  
46 Stat. 471.  
5 U. S. C. § 698.

"(a) The annuity of an employee retired under the provisions of the preceding sections of this Act shall be a life annuity, terminable upon the death of the annuitant and shall be composed of (1) a sum equal to \$30 for each year of service not exceeding thirty: *Provided* That such portion of the annuity shall not exceed three-fourths of the average annual basic salary, pay, or compensation received by the employee during any five consecutive years of allowable service at the option of the employee; nor shall such portion be less than an amount equal to the employee's purchasable annuity as provided in (2) hereof; and (2) the amount of annuity purchasable with the sum to the credit of the employee's individual account as provided in section 12 (a) hereof, together with interest at 4 per centum per annum compounded on June 30 of each year, according to the experience of the civil-service retirement and disability fund as may from time to time be set forth in tables of annuity values by the Board of Actuaries.

Annuity, computation, etc.

*Proviso.*  
Basic portion limited to three-fourths of annual salary, etc.

Annuity purchasable with sum to credit of employee's individual account.  
Interest.

"(b) The total annuity paid shall in no case be less than an amount equal to the average annual basic salary, pay, or compensation, not to exceed \$1,600 per annum, received by the employee during any five consecutive years of allowable service at the option of the employee, multiplied by the number of years of service, not exceeding thirty years, and divided by forty.

Minimum total annuity.

"(c) Any employee at the time of his retirement may elect to receive, in lieu of the life annuity herein described, an increased annuity of equivalent value which shall carry with it a proviso that no unexpended part of the principal upon the annuitant's death shall be returned.

Increased annuity at employee's option.

"(d) Any employee retiring under the provisions of section 1 of this Act may at the time of his retirement elect to receive in lieu of the life annuity described herein a reduced annuity payable to him during his life, and an annuity after his death payable to his beneficiary, duly designated in writing and filed with the Civil Service Commission at the time of his retirement, during the life of such beneficiary (a) equal to or (b) 50 per centum of such reduced annuity and upon the death of such surviving beneficiary all payments shall cease and no further annuity shall be due or payable. The amounts of the two annuities shall be such that their combined actuarial value on the date of retirement as determined by the Civil Service Commission shall be the same as the actuarial value of the single life increased annuity with forfeiture provided by this section: *Provided*, That no election in lieu of the life annuity provided herein shall become effective in case an employee dies within thirty days after the effective date of retirement, and in the event of such death within this period, such death shall be considered as a death in active service.

Retirement on reduced annuity with annuity after death for designated beneficiary.

*Proviso.*  
If employee dies within 30 days after retirement.

"(e) For the purpose of this Act all periods of service shall be computed in accordance with section 5 hereof, and the annuity shall be fixed at the nearest multiple of twelve.

Computation of periods of service.

Exclusion of bonuses, etc., from "basic salary, pay, or compensation."

46 Stat. 472.  
5 U. S. C. § 710; Supp. IV, § 710.  
Mentally incompetent employees.  
Time limitation for execution of claims for retirement.

Applications of such persons heretofore separated from service, time for filing.

46 Stat. 473.  
5 U. S. C. § 711; Supp. IV, § 711.  
Medical examination requirements.

46 Stat. 475.  
5 U. S. C. § 719.

Deposit of sums additional to prescribed contributions for purchase of additional annuity.

Refund provisions.

Effective date.

"(f) The term 'basic salary, pay, or compensation,' wherever used in this Act, shall be so construed as to exclude from the operation of the Act all bonuses, allowances, overtime pay, or salary, pay, or compensation given in addition to the base pay of the position as fixed by law or regulation."

SEC. 3. Section 6 of the Act of May 29, 1930, as amended, is hereby amended as follows:

"(a) At the end of the first paragraph add the following: 'The time limitation for execution of claims for retirement under the terms of this section may be waived by the Civil Service Commission in cases of employees who at the date of separation from service or within six months thereafter, are adjudged mentally incompetent, but the application in such cases must be filed with the Civil Service Commission within one year from the date of restoration of any such person to competency or the appointment of a fiduciary whichever is the earlier. In the case of any such person heretofore separated from service application may be filed within one year after the effective date of this Act.'

"(b) The second paragraph of section 6 of such Act of May 29, 1930, as amended, is amended by striking out the words 'ninety days from the date of the medical examination showing such recovery' and inserting in lieu thereof the following: 'one year from the date of the medical examination showing such recovery'."

SEC. 4. The following paragraph shall be inserted after the first paragraph of section 10 of the Act of May 29, 1930, as amended:

"Any employee may at his option and under such regulations as may be prescribed by the Civil Service Commission deposit additional sums in multiples of \$25 but not to exceed 10 per centum per annum of his annual basic salary, pay, or compensation, for service rendered since August 1, 1920, which amount together with interest thereon at 3 per centum per annum compounded as of June 30 of each year, shall, at the date of his retirement, be available to purchase, as he shall elect and in accordance with such rules and regulations as may be prescribed by the Civil Service Commission with the approval of the Board of Actuaries, in addition to the annuity provided by this Act, an annuity according to the experience of the civil-service retirement and disability fund as may from time to time be set forth in tables of annuity values by the Board of Actuaries based on an interest rate of 4 per centum. In the event of death or separation from the service of such employee before becoming eligible for retirement on annuity, the total amount so deposited with interest at 3 per centum per annum compounded on June 30 of each year shall be refunded in accordance with the provisions of section 12 of this Act."

SEC. 5. This Act shall take effect January 1, 1940.

Approved, August 4, 1939.

#### [CHAPTER 427]

#### AN ACT

August 4, 1939

[H. R. 6268]

[Public, No. 264]

Brandy or fruit spirits.  
Allowances for losses by leakage, etc., upon withdrawal of certain.  
*Ante*, p. 340.  
I. R. C. § 2901.

To authorize the Commissioner of Internal Revenue to make certain allowances for losses by leakage and evaporation upon withdrawal of packages of brandy or fruit spirits under certain conditions.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury, is authorized to make allowances for losses by leakage and evaporation in accordance with section 2901, Internal Revenue Code, upon withdrawal of packages of brandy or fruit spirits now deposited in internal-revenue bonded warehouses, which were filled from storage tanks in bonded warehouses prior to June 26, 1936.

Approved, August 4, 1939.

## [CHAPTER 429]

## AN ACT

To amend section 224 of the Criminal Code so as to penalize the making of false claims for the loss of insured mail matter.

August 5, 1939

[S. 185]

[Public, No. 265]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 224 of the Criminal Code (35 Stat. 1133; U. S. C., title 18, sec. 354) be, and the same is hereby, amended to read as follows:

"SEC. 224. Whoever shall make, allege, or present, or cause to be made, alleged, or presented, or assist, aid, or abet in making, alleging, or presenting, any claim or application for indemnity for the loss of any registered or insured letter, parcel, package, or other article or matter, or the contents thereof, knowing such claim or application to be false, fictitious, or fraudulent; or whoever for the purpose of obtaining or aiding to obtain the payment or approval of any such claim or application, shall make or use, or cause to be made or used, any false statement, certificate, affidavit, or deposition; or whoever shall knowingly and willfully misrepresent, or misstate, or, for the purpose aforesaid, shall knowingly and willfully conceal any material fact or circumstance in respect of any such claim or application for indemnity, shall be fined not more than \$500 or imprisoned not more than one year, or both, except in cases where the amount of such claim or application for indemnity is less than \$100 there may be imposed a fine only."

Approved, August 5, 1939.

Criminal Code,  
amendment.  
35 Stat. 1133.  
18 U. S. C. § 354.

False claims for loss  
of registered or insured  
mail matter.

Penalty.

## [CHAPTER 430]

## AN ACT

To authorize the temporary appointment of a special judge for the District Court of the Virgin Islands.

August 5, 1939

[S. 190]

[Public, No. 266]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 26 of the Organic Act of the Virgin Islands of the United States (Act of June 22, 1936, 49 Stat. 1813; U. S. C., title 48, sec. 1405y) be, and the same is hereby, amended by inserting therein immediately following the first sentence thereof the following sentence: "In case of the absence, disability, or disqualification of such judge, the President is authorized to appoint a special judge to discharge the duties of such judge only until the termination of such absence, disability, or disqualification; and the special judge so appointed shall be authorized and empowered to perform the duties of such office during such periods and shall receive compensation at the same rate, for the period of time actually served, and the same allowances for expenses and transportation, as are paid and allowed the judge of said court."

Approved, August 5, 1939.

Virgin Islands.  
49 Stat. 1813.  
48 U. S. C., Supp.  
IV, § 1405y.

Temporary appoint-  
ment of special judge,  
District Court, au-  
thorized.

Powers, duties, etc.

## [CHAPTER 431]

## AN ACT

To provide for the public auction of certain town lots within the city of Parker, Arizona.

August 5, 1939

[S. 432]

[Public, No. 267]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior be, and he is hereby, authorized to sell at public auction or after publicly advertising for bids, to the highest and best bidder, any unsold lots in the townsite of Parker, Arizona: *Provided*, That the said Secretary may, in his discretion, reject any or all bids so received: *And provided further*, That no sale shall be made pur-

Parker, Ariz.  
Public auction of  
certain town lots au-  
thorized.

Provisos.  
Rejection of bids.

Tribal consent.

suant to the provisions of this Act without first obtaining the written consent of the Tribal Council of the Colorado River Indian Tribes of the Colorado River Reservation.

Lease of vacant unsold lots.

SEC. 2. That any vacant unsold lots within the townsite of Parker, Arizona, may be leased by the Tribal Council of the Colorado River Indian Tribes, with the approval of the Secretary of the Interior and upon such terms and conditions as he may prescribe, for a term of not exceeding twenty-five years. Such leases may provide for renewal for an additional term of not exceeding twenty-five years.

Rules to be prescribed.

SEC. 3. The Secretary of the Interior is hereby authorized to prescribe such rules and regulations as may be necessary to carry out the provisions of this Act.

Approved, August 5, 1939.

#### [CHAPTER 432]

#### AN ACT

August 5, 1939

[S. 1156]

[Public, No. 269]

To authorize the transfer to the jurisdiction of the Secretary of the Treasury of portions of the property within the military reservation known as the Morehead City Target Range, North Carolina, for the construction of improvements thereon, and for other purposes.

Morehead City Target Range, N. C.  
Transfer of jurisdiction to Treasury for Coast Guard, etc., purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized to make transfers to the jurisdiction and control of the Secretary of the Treasury of such portions of the property at present included within the military reservation known as the Morehead City Target Range, North Carolina, and upon such conditions, as may be mutually agreed upon by the Secretary of War and the Secretary of the Treasury. The Secretary of the Treasury is hereby authorized to construct within the limits of the property so transferred, from such funds as may be now or may hereafter become available, such improvements or buildings, appurtenances, and approaches thereto as he may deem adequate and suitable for the use of said property as a target range by the United States Coast Guard, and for use in carrying out any other functions or duties of the Treasury Department: *Provided*, That upon cessation of such use the premises or any part thereof so transferred shall revert to the jurisdiction of the War Department.

Improvements authorized.

*Proviso.*  
Reversionary provision.

Approved, August 5, 1939.

#### [CHAPTER 433]

#### AN ACT

August 5, 1939

[S. 1282]

[Public, No. 269]

To extend the privilege of retirement for disability to judges appointed to hold office during good behavior.

United States courts.  
Retirement privilege extended to designated judges or justices of.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any judge or justice of any court of the United States, appointed to hold office during good behavior, who becomes unable because of permanent disability to perform the duties of his office, may retire from regular active service on the bench and the President shall thereupon be authorized to appoint a successor.

District or circuit judges.

SEC. 2. Any district or circuit judge, other than a senior circuit judge, who desires to retire under the provisions of this Act shall certify his disability in writing and shall furnish a like certificate made by the senior circuit judge of the judicial circuit in which the court of which he is a member is situated. Any Justice of the Supreme Court of the United States, other than the Chief Justice of the United States, who desires to retire under the provisions of this Act shall certify his disability in writing and shall furnish a like cer-

Justices of Supreme Court.

tificate made by the Chief Justice of the United States. If the Chief Justice of the United States retires under the provisions of this Act he need not furnish any certificate in addition to his own. Any judge of the Court of Claims, other than the chief justice, any judge of the United States Customs Court, or any judge of the United States Court of Customs and Patent Appeals, other than the presiding judge of the United States Court of Customs and Patent Appeals, who desires to retire under the provisions of this Act shall certify his disability in writing and shall furnish a like certificate made by the chief justice of the Court of Claims, if he be a judge of the Court of Claims, or by the presiding judge of the United States Court of Customs and Patent Appeals, if he be a judge of the United States Customs Court or the United States Court of Customs and Patent Appeals. Any other judge or justice who desires to retire under the provisions of this Act shall certify his disability in writing and shall furnish a like certificate made by the Chief Justice of the United States.

SEC. 3. Any judge or justice who retires under the provisions of this Act, after he has served less than ten years, shall receive annually, in equal monthly installments, during the remainder of his life, a sum equal to one-half of the annual salary he is receiving at the date of retirement; and any judge or justice who retires under the provisions of this Act, after he has served ten years or more, shall receive in like manner during the remainder of his life the salary he is receiving at the date of retirement.

SEC. 4. The term "senior circuit judge", as used in this Act, includes the chief justice of the United States Court of Appeals for the District of Columbia. The term "judicial circuit", as used in this Act, includes the District of Columbia.

Approved, August 5, 1939.

Chief Justice of the United States.

Judges of Court of Claims.

Customs Court.

Court of Customs and Patent Appeals.

Other judges or justices.

Retirement with less than 10 years' service; retirement pay.

With 10 years or more, retirement pay.

"Senior circuit judge."

"Judicial circuit."

#### [CHAPTER 434]

#### AN ACT

To amend the Criminal Code in regard to obtaining money by false pretenses on the high seas.

August 5, 1939  
[S. 1874]

[Public, No. 270]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Criminal Code of the United States be amended by inserting after section 288 the following section:

"SEC. 288A. Whoever, upon the high seas or on any waters within the admiralty and maritime jurisdiction of the United States and out of the jurisdiction of any particular State, or within the admiralty and maritime jurisdiction of the United States and out of the jurisdiction of any particular State on board any vessel belonging in whole or in part to the United States or any citizen thereof or to any corporation created by or under the laws of the United States, or of any State, Territory, or District thereof, by any fraud, or false pretense whatsoever with intent to defraud, obtains from any person anything of value, or procures the execution and delivery of any instrument of writing or conveyance of real or personal property, or the signature of any person, as maker, endorser, or guarantor, to or upon any bond, bill, receipt, promissory note, draft, or check, or any other evidence of indebtedness or fraudulently sells, barter, or disposes of any bond, bill, receipt, promissory note, draft, or check, or other evidence of indebtedness, for value, knowing the same to be worthless, or knowing the signature of the maker, endorser, or guarantor thereof to have been obtained by any false pretenses, shall be fined not more than \$5,000 or imprisoned not more than five years, or both."

Criminal Code, amendment.  
35 Stat. 1145.  
18 U. S. C. § 467.

Obtaining of money by false pretenses on the high seas.

Penalty.

Approved, August 5, 1939.

## [CHAPTER 435]

## AN ACT

August 5, 1939  
[S. 1996]  
[Public, No. 271]

To extend the times for commencing and completing the construction of a bridge across the Columbia River at Astoria, Clatsop County, Oregon.

Columbia River.  
Time extended for  
bridging, at Astoria,  
Oreg.

48 Stat. 949; 49 Stat.  
1066, 1104; 50 Stat. 563;  
52 Stat. 445.

Amendment.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of a bridge across the Columbia River at Astoria, Clatsop County, Oregon, authorized to be built by the Oregon-Washington Bridge Board of Trustees by an Act of Congress approved June 13, 1934, as amended, as heretofore extended by Acts of Congress approved August 30, 1935, January 27, 1936, August 5, 1937, and May 26, 1938, are further extended one and three years, respectively, from June 13, 1939.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 5, 1939.

## [CHAPTER 436]

## AN ACT

August 5, 1939  
[S. 2188]  
[Public, No. 272]

Granting the consent of Congress to the Providence, Warren and Bristol Railroad Company to construct, maintain, and operate a railroad bridge across the Warren River at or near Barrington, Rhode Island.

Warren River.  
Bridge authorized  
across, at Barrington,  
R. I.

34 Stat. 84.  
33 U. S. C. §§ 491-  
498.

Transfer of inter-  
ests, etc.

Amendment.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to the Providence, Warren and Bristol Railroad Company, its successors and assigns, to construct, maintain, and operate a railroad bridge and approaches thereto across the Warren River, at a point suitable to the interests of navigation, at or near Barrington, Rhode Island, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

SEC. 2. The right to sell, assign, transfer, or mortgage all the rights, powers, and privileges conferred by this Act is hereby granted to the Providence, Warren and Bristol Railroad Company, its successors and assigns, and any corporation to which or any person to whom such rights, powers, and privileges may be sold, assigned, or transferred, or who shall acquire the same by mortgage foreclosure or otherwise is hereby authorized to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 5, 1939.

## [CHAPTER 437]

## AN ACT

August 5, 1939  
[S. 2407]  
[Public, No. 273]

Granting the consent of Congress to the counties of Valley and McCone, Montana, to construct, maintain, and operate a free highway bridge across the Missouri River at or near Frazer, Montana.

Missouri River.  
Bridge authorized  
across, at Frazer,  
Mont.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to the counties of Valley and McCone, Montana, to construct, maintain, and operate a free highway bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, at or near Frazer, Montana, in accord-

ance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 5, 1939.

34 Stat. 84.  
33 U. S. C. §§ 491-498.

Amendment.

[CHAPTER 438]

AN ACT

To extend the times for commencing and completing the construction of a bridge across the Missouri River at or near Arrow Rock, Missouri.

August 5, 1939

[S. 2484]

[Public, No. 274]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the times for commencing and completing the construction of a bridge across the Missouri River, at or near Arrow Rock, Missouri, authorized to be built by the Saint Louis-Kansas City Short Line Railroad Company by the Act of Congress approved March 2, 1929, heretofore extended by Acts of Congress approved April 15, 1932, August 30, 1935, and May 24, 1937, are hereby further extended one and three years, respectively, from the date of approval hereof.

Missouri River.  
Time extended for  
bridging, at Arrow  
Rock, Mo.

45 Stat. 1511; 47  
Stat. 82; 49 Stat. 1070;  
50 Stat. 201.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, August 5, 1939.

[CHAPTER 439]

AN ACT

Granting the consent of Congress to the Iowa State Highway Commission to construct, maintain, and operate a free highway bridge across the Des Moines River at or near Red Rock, Iowa.

August 5, 1939

[S. 2584]

[Public, No. 275]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to the Iowa State Highway Commission to construct, maintain, and operate a free highway bridge and approaches thereto across the Des Moines River, at a point suitable to the interests of navigation, at or near Red Rock, Iowa, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Des Moines River.  
Bridge authorized  
across, at Red Rock,  
Iowa.

34 Stat. 84.  
33 U. S. C. §§ 491-498.

Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 5, 1939.

[CHAPTER 440]

AN ACT

To reserve to the United States for the Bonneville project a right-of-way across certain Indian lands in the State of Washington, subject to the consent of the individual allottees and the payment of compensation, and for other purposes.

August 5, 1939

[S. 2634]

[Public, No. 276]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby reserved to the United States for the Bonneville project a right-of-way in the nature of an easement not to exceed three hundred feet in width across allotted and tribal lands on the Yakima Indian Reservation, in the State of Washington, for the construction, operation, and maintenance of electric transmission lines, with the right of ingress

Yakima Indian Res-  
ervation, Wash.  
Reservation of Fed-  
eral right - of - way  
across, for Bonneville  
project.



and egress, and such additional area as may be necessary for a substation.

Approval provisions.

Condemnation proceedings.  
25 Stat. 357.  
40 U. S. C. §§ 257, 258.  
Right of cultivation, etc.

SEC. 2. This reservation is subject to the consent of the individual allottees and the tribal council, to the approval of a map of definite location by the Secretary of the Interior, and to the payment of such compensation as he may determine. Should any allottee refuse to give his consent, condemnation under the provisions of the Act of August 1, 1888 (25 Stat. 357), is hereby authorized. The right is reserved to the Indians to cultivate or otherwise utilize the right-of-way in such manner as will not be inconsistent with the use thereof for transmission-line purposes.

Approved, August 5, 1939.

[CHAPTER 441]

AN ACT

August 5, 1939  
[S. 2788]  
[Public, No. 277]

To amend the Act entitled "An act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor", approved February 23, 1931, as amended.

Foreign Service.  
Retirement and disability system.  
46 Stat. 1213; *ante*, p. 588.  
22 U. S. C. § 21 (c).

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That paragraph (c) of section 26, of the Act entitled "An Act for the grading and classification of clerks in the Foreign Service of the United States of America, and providing compensation therefor", approved February 23, 1931, as amended, is amended to read as follows:

Computation of period of service.

"(c) For the purposes of this Act the period of service shall be computed from the date of original oath of office as diplomatic secretary, consul general, consul, vice consul, deputy consul, consular assistant, consular agent, commercial agent, interpreter, or student interpreter, and shall include periods of service at different times as either a diplomatic or consular officer, or while on assignment to the Department of State, or on special duty or service in another department or establishment of the Government, but all periods of separation from the service and so much of any period of leave of absence without pay as may exceed six months shall be excluded: *Provided*, That service prior to appointment as a Foreign Service officer as a classified or an unclassified employee in the civil service of the United States, or in the service of the District of Columbia, including periods of service at different times and in one or more departments, branches, or independent offices, or the legislative branch of the Government, and also periods of service performed overseas under authority of the United States, and periods of honorable service in the Army, Navy, Marine Corps, or Coast Guard of the United States may be included in the period of service, in which case the officer shall pay into the Foreign Service retirement and disability fund a special contribution equal to 5 per centum of his annual salary for each year of such employment subsequent to July 1, 1924, with interest thereon to date of payment compounded annually at 4 per centum and all such officers within the purview of this provision may elect to make such deposits in installments during the continuance of their service in such amounts and under such conditions as may be determined in each instance by the Secretary of State; but in the case of a Foreign Service officer who is eligible for and elects to receive a pension under any law, or retired pay on account of military or naval service, or compensation under the War Risk Insurance Act, the period of his military or naval service upon which such pension, retired pay, or compensation is based shall not be included, but nothing in this Act shall be so construed as to affect in any manner his right to a pension, or to retired pay, or to compensation under the War Risk Insurance Act in addition to the annuity herein provided."

Periods excluded.

*Proviso.*  
Service prior to appointment as Foreign Service officer.

Special contribution to fund.

Installment payments.

Exclusion of military, etc., service if officer receives pension, etc.

40 Stat. 398.  
38 U. S. C. § 357, ch. 10; Supp. IV, ch. 10.  
Right to pension, etc., not affected.

Approved, August 5, 1939.

## [CHAPTER 442]

## AN ACT

To prohibit the issuance and coinage of certain commemorative coins, and for other purposes.

August 5, 1939  
[H. R. 2750]  
[Public, No. 278]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subsequent to the enactment of this Act no commemorative coins shall be coined or issued pursuant to any Act of Congress, authorizing the coinage and issuance of commemorative coins, enacted prior to March 1, 1939.

Approved, August 5, 1939.

Commemorative coins.  
Restriction on coinage or issuance under laws enacted prior to Mar. 1, 1939.

## [CHAPTER 443]

## AN ACT

To provide that pensions payable to the widows and orphans of deceased veterans of the Spanish-American War, Boxer Rebellion, or Philippine Insurrection shall be effective as of date of death of the veteran, if claim is filed within one year thereafter.

August 5, 1939  
[H. R. 2875]  
[Public, No. 279]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That notwithstanding any provisions of law or veterans' regulation, awards of death pension shall be effective as of the date of death of the veteran of the Spanish-American War, including the Boxer Rebellion and Philippine Insurrection, if claim is filed within one year after the death of such veteran.

Approved, August 5, 1939.

Deceased veterans of Spanish-American War, etc.  
Widow's, etc., pension effective as of date of death; condition.

## [CHAPTER 444]

## AN ACT

To authorize an exchange of lands between the War Department and the Department of Labor.

August 5, 1939  
[H. R. 4008]  
[Public, No. 280]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War is hereby authorized to transfer to the control and jurisdiction of the Secretary of Labor that portion of the Fort Armstrong Military Reservation, Honolulu, Territory of Hawaii, now occupied by the Department of Labor under revocable permit from the Secretary of War dated August 24, 1935, and in exchange therefor the Secretary of Labor is hereby authorized to transfer to the control and jurisdiction of the Secretary of War that portion of the adjoining immigration station site now occupied by the War Department under revocable permit from the Secretary of Labor dated September 18, 1935.

Approved, August 5, 1939.

Fort Armstrong Military Reservation, Honolulu, T. H.  
Exchange of lands, between War Department and Department of Labor.

## [CHAPTER 445]

## AN ACT

To make the United States Coast Guard Academy library a public depository for Government publications.

August 5, 1939  
[H. R. 4306]  
[Public, No. 281]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the library of the United States Coast Guard Academy, New London, Connecticut, is hereby constituted a designated depository of Government publications, and the Superintendent of Documents shall supply to such library one copy of each such publication, in the same form as supplied to other designated depositories.

Approved, August 5, 1939.

U. S. Coast Guard Academy.  
Designation of library as depository for Government publications.

## [CHAPTER 446]

## AN ACT

August 5, 1939  
[H. R. 4434]  
[Public, No. 282]

To provide for the abatement of personal taxes from insolvent building associations in the District of Columbia.

District of Colum-  
bia.  
Building associa-  
tions.  
Abatement of per-  
sonal property taxes  
against insolvent, in  
certain cases.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That whenever and after any building or homestead association, which was incorporated or doing business under the law of the District of Columbia, has ceased to do business by reason of insolvency no tax on personal property, either tangible or intangible shall be levied, assessed, or collected by the District of Columbia against or from such association if such tax shall diminish the assets of such association necessary for the payment of the full amount due on share accounts in, or on shares of, such association to the holders thereof, and such tax, if heretofore levied, shall be abated as against any such associations as are or have been found by the Comptroller of the Currency to be insolvent.

Approved, August 5, 1939.

## [CHAPTER 447]

## AN ACT

August 5, 1939  
[H. R. 4783]  
[Public, No. 283]

To provide a right-of-way.

Middletown Air  
Depot Military Res-  
ervation, Pa.  
Keystone Pipe Line  
Company, easement  
for right-of-way over.

*Provisos.*  
Condition.

Reversionary provi-  
sions.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized and empowered, under such terms and conditions as are deemed advisable by him, to grant to Keystone Pipe Line Company, its successors and/or assigns, an easement for a right-of-way for oil-pipe lines over, across, in, and upon the Middletown Air Depot Military Reservation, in the State of Pennsylvania: *Provided*, That such right-of-way shall be granted only upon a finding by the Secretary of War that the same will be in the public interest and will not substantially injure the interest of the United States in the property affected thereby: *Provided further*, That all or any part of such right-of-way may be annulled and forfeited by the Secretary of War if the property is needed for governmental purposes or for failure to comply with the terms or conditions of any grant hereunder, or for nonuse or for abandonment of rights granted under authority hereof.

Approved, August 5, 1939.

## [CHAPTER 448]

## AN ACT

August 5, 1939  
[H. R. 6320]  
[Public, No. 284]

To establish the status of funds and employees of the United States Naval Academy laundry.

Naval Academy.  
Status of funds and  
employees of the laun-  
dry established.

Personnel deemed  
Government em-  
ployees.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all funds collected from the operation of the laundry at the United States Naval Academy for the benefit of Naval Academy activities and personnel, including midshipmen, are appropriated for the purpose of providing and maintaining the necessary laundry service and shall hereafter be accounted for as public moneys.

SEC. 2. All employees of such laundry, whether heretofore paid from appropriated moneys or from receipts of the laundry, shall hereafter be deemed to be Government employees entitled to all benefits and subject to all restrictions arising under the laws of the United States applicable to employees of their grade and class.

Approved, August 5, 1939.

## [CHAPTER 449]

## AN ACT

Authorizing the sale of certain real estate in the District of Columbia no longer required for public purposes.

August 5, 1939

[H. R. 6405]

[Public, No. 285]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Commissioners of the District of Columbia, with the approval of the National Capital Park and Planning Commission, be, and they are hereby, authorized and empowered in their discretion, for the best interests of the District of Columbia, to sell and convey, in whole or in part, to the highest bidder at public or private sale, real estate now or hereafter owned in fee simple by the District of Columbia for municipal use, in the District of Columbia, which the Commissioners and the National Capital Park and Planning Commission find to be no longer required for public purposes.

SEC. 2. That the said Commissioners are further authorized to pay the reasonable and necessary expenses of sale of each parcel of land sold, and shall deposit the net proceeds thereof in the Treasury of the United States to the credit of the District of Columbia.

SEC. 3. That the said Commissioners are hereby authorized to execute proper deeds of conveyance for real estate sold under the provisions of this Act, which shall contain a full description of the land sold, either by metes and bounds, or otherwise, according to law.

SEC. 4. That the Secretary of the Interior, with the approval of the National Capital Park and Planning Commission, is hereby authorized, in his discretion, for the best interests of the United States, to sell and convey, in whole or in part, by proper deed or instrument, any real estate held by the United States in the District of Columbia and under the jurisdiction of the National Park Service, which may be no longer needed for public purposes, for cash, or on such deferred-payment plan as the Secretary of the Interior may approve, at a price not less than that paid for it by the Government and not less than its present appraised value as determined by him.

SEC. 5. That in selling any parcel of land hereunder, said Secretary shall cause such public or private solicitation for bids or offers to be made as he may deem appropriate, and shall sell the parcel to the party agreeing to pay the highest price therefor if such price is otherwise satisfactory: *Provided*, That in the event the price offered or bid by the owner of any lands abutting the lands to be sold equals the highest price offered or bid by any other party, the parcel may be sold to such abutting owner.

SEC. 6. That said Secretary is further authorized to pay the reasonable and necessary expenses of sale of each parcel of land sold, and shall deposit the net proceeds thereof in the Treasury to the credit of the United States and the District of Columbia in the proportion that each paid the appropriations from which the parcels of land were acquired or were obligated to pay the same, at the time of acquisition, by reimbursement.

SEC. 7. That all Acts and parts of Acts which may be inconsistent or in conflict with this Act are hereby repealed to the extent of the inconsistency or conflict.

Approved, August 5, 1939.

District of Colum-

bia.

Sale of certain real estate not needed for public purposes.

Approval of National Capital Park and Planning Commission.

Payment of expenses.

Deposit of net proceeds.

Conveyancing provisions.

Sale of certain Federal real estate under National Park Service not needed for public purposes.

Advertisement for bids, etc.

Proviso. Sales to abutting property owners.

Payment of expenses.

Repeal of inconsistent, etc., laws.

## [CHAPTER 450]

## AN ACT

August 5, 1939  
[H. R. 6872]  
[Public, No. 286]

To amend sections 4886, 4887, 4920, and 4929 of the Revised Statutes (U. S. C., title 35, secs. 31, 32, 69, and 73).

Patents.  
R. S. §§ 4886, 4887,  
4920, 4929.  
35 U. S. C. §§ 31, 32,  
69, 73; Supp. IV, § 32.  
Reduction of time  
for public use, etc.,  
before filing applica-  
tions.  
Time of taking ef-  
fect.  
Provisos.  
Application of pro-  
visions.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That sections 4886, 4887, 4920, and 4929 of the Revised Statutes (U. S. C., title 35, secs. 31, 32, 69, and 73) be amended by striking out the words "two years" wherever they appear in said sections and substituting therefor the words "one year".

SEC. 2. This Act shall take effect one year after its approval and shall apply to all applications for patent filed after it takes effect and to all patents granted on such applications: *Provided, however,* That all applications for patents filed prior to the time this Act takes effect and all patents granted on such applications are to be governed by the statutes in force at the time of approval of this Act as if such statutes had not been amended.

Approved, August 5, 1939.

## [CHAPTER 451]

## AN ACT

August 5, 1939  
[H. R. 6873]  
[Public, No. 287]

To amend sections 4904, 4909, 4911, and 4915 of the Revised Statutes (U. S. C., title 35, secs. 52, 57, 59a, and 63).

Patents.  
R. S. § 4904.  
35 U. S. C. § 52.  
  
Interferences; de-  
termination of pri-  
ority.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 4904 of the Revised Statutes (U. S. C., title 35, sec. 52) be amended to read as follows:

"Whenever an application is made for a patent which, in the opinion of the Commissioner, would interfere with any pending application, or with any unexpired patent, he shall give notice thereof to the applicants, or applicant and patentee, as the case may be, and shall direct a board of three examiners of interferences to proceed to determine the question of priority of invention. And the Commissioner may issue a patent to the party who is adjudged the prior inventor."

SEC. 2. That section 4909 of the Revised Statutes (U. S. C., title 35, sec. 57) be amended to read as follows:

"Every applicant for a patent or for the reissue of a patent, any of the claims of which have been twice rejected, may appeal from the decision of the primary examiner to the Board of Appeals, having once paid the fee for such appeal."

R. S. § 4911.  
35 U. S. C. § 59a.  
Textual changes.

SEC. 3. That section 4911 of the Revised Statutes (U. S. C., title 35, sec. 59a) be amended by changing the words "Board of Appeals" in the second sentence to read "board of interference examiners", and by canceling the last sentence of said section.

R. S. § 4915.  
35 U. S. C. § 63.

SEC. 4. That section 4915 of the Revised Statutes (U. S. C., title 35, sec. 63) be amended by changing the first sentence thereof to read:

Bill in equity, time  
limitation.

"Whenever a patent on application is refused by the Board of Appeals or whenever any applicant is dissatisfied with the decision of the board of interference examiners, the applicant, unless appeal has been taken to the United States Court of Customs and Patent Appeals, and such appeal is pending or has been decided, in which case no action may be brought under this section, may have remedy by bill in equity, if filed within six months after such refusal or decision; and the court having cognizance thereof, on notice to adverse parties and other due proceedings had, may adjudge that

such applicant is entitled, according to law, to receive a patent for his invention, as specified in his claim or for any part thereof, as the facts in the case may appear."

SEC. 5. That this Act shall take effect two months after its approval; but it shall not affect interferences then pending, which may be heard and decided and appeals and other proceedings taken under the statutes in force at the time of approval of this Act as if such statutes had not been amended.

Approved, August 5, 1939.

[CHAPTER 452]

AN ACT

To amend section 4903 of the Revised Statutes (U. S. C., title 35, sec. 51).

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 4903 of the Revised Statutes (U. S. C., title 35, sec. 51) be amended by adding at the end thereof the following:

"No amendment for the first time presenting or asserting a claim which is the same as, or for substantially the same subject matter as, a claim of an issued patent may be made in any application unless such amendment is filed within one year from the date on which said patent was granted."

SEC. 2. This Act shall take effect one year after its approval.

Approved, August 5, 1939.

[CHAPTER 453]

AN ACT

To waive the age limit for appointment as second lieutenant, Regular Army, of certain persons now on active duty with the Air Corps.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That notwithstanding any provision of law which prohibits the appointment as a second lieutenant in the Air Corps, Regular Army, of a person above the age of thirty years, any Reserve officer of the Air Corps now on extended active duty with the Air Corps who on the date of enactment of this Act has served not less than a total of two years on such extended active duty or on duty as an enlisted pilot or both, and who on the date of enactment of this Act is over thirty years of age by a period not in excess of the total such active duty performed by him, and any warrant officer and enlisted man now in the active service in the Regular Army who is a qualified pilot, shall be eligible, if otherwise qualified, to be appointed in the fiscal year 1940 as a second lieutenant, Air Corps, of the Regular Army: *Provided*, That vacancies in the Air Corps, Regular Army, which are to be filled in the fiscal year 1940 upon the basis of competitive examinations held in the fiscal year 1940, shall be apportioned to applicants under this Act in the ratio that the number of such applicants bears to the total number of applicants for appointment in the Air Corps, Regular Army, under other provisions of law: *And provided further*, That applicants for appointment under this Act shall be given qualifying examinations separate and distinct from those given to other applicants for commission.

Approved, August 5, 1939.

Effective date.

August 5, 1939  
[H. R. 6875]

[Public, No. 285]

Patents.  
R. S. § 4903.  
35 U. S. C. § 51.

Time within which  
an interference may  
be permitted.

Effective date.

August 5, 1939  
[H. R. 6925]

[Public, No. 289]

Regular Army.  
Age limit for ap-  
pointment as second  
lieutenant, of certain  
persons on active  
duty, Air Corps,  
waived.

Service and age re-  
quirements.

Warrant officers,  
etc., Regular Army,  
who are qualified  
pilots.

Appointments for  
fiscal year 1940.  
*Provided*,  
Filling vacancies,  
1940, ratio of appor-  
tionments.

Examinations.

## [CHAPTER 454]

## AN ACT

To provide for the rank and title of lieutenant general of the Regular Army.

August 5, 1939  
[H. R. 7093]  
[Public, No. 290]

Regular Army.  
Lieutenant general,  
rank and title estab-  
lished.

*Provisos.*  
Pay and allowances.

Rank, etc., on retire-  
ment.

R. S. § 1254.  
10 U. S. C. § 1025.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the major generals of the Regular Army specifically assigned by the Secretary of War to command the four armies of the United States Army shall have the rank and title of lieutenant general while so serving: *Provided*, That major generals, while holding the rank and title of lieutenant general under the foregoing provisions, shall be entitled to receive the pay and allowances of a major general and, in addition, shall be entitled to receive the same personal money allowances as are now, or may hereafter be, prescribed by law for vice admirals of the Navy: *Provided further*, That should an officer, while serving in the rank of lieutenant general be retired from active service, he shall be retired with the lineal rank and the retired pay to which he would be entitled had he not been serving in the rank of lieutenant general, the provisions of section 1254, Revised Statutes (10 U. S. C. 1025), to the contrary notwithstanding.

Approved, August 5, 1939.

## [CHAPTER 455]

## JOINT RESOLUTION

Providing for participation by the United States in the celebration to be held at Fort McHenry on September 14, 1939, in celebration of the one hundred and twenty-fifth anniversary of the writing of the Star-Spangled Banner.

August 5, 1939  
[S. J. Res. 176]  
[Pub. Res., No. 37]

"Star-Spangled Ban-  
ner."  
Federal participa-  
tion in 125th anni-  
versary celebration of  
writing.  
Commission estab-  
lished.

Duties.

Service without  
compensation; chair-  
man.

Expenditures au-  
thorized.

Appropriation au-  
thorized.  
*Post*, p. 1305.

Invitations to for-  
eign governments.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That, for the purpose of providing for participation by the United States in the celebration of the one hundred and twenty-fifth anniversary of the writing of the Star-Spangled Banner, there is hereby established a commission to be composed of the President of the United States, of the President of the Senate, the Speaker of the House of Representatives, the United States Senators from the State of Maryland, three Senators to be appointed by the President of the Senate, the Members of the House of Representatives from the State of Maryland, three Members of the House of Representatives to be appointed by the Speaker of the House of Representatives, the Governor of Maryland, the mayor of the city of Baltimore, and three persons to be appointed by the President of the United States. It shall be the duty of such commission to formulate and carry out plans for participation by the United States in the celebration to be held at Fort McHenry on September 14, 1939, in commemoration of such anniversary. The members of such commission shall serve without compensation and shall select a chairman from among their number.

SEC. 2. The commission is authorized to make such expenditures for the purpose of carrying out the provisions of the first section of this joint resolution as it may deem advisable. Expenditures of the commission shall be paid upon the presentation of vouchers approved by the chairman of the commission.

SEC. 3. There is hereby authorized to be appropriated the sum of \$5,000 to be expended by the commission for the purpose of carrying out the provisions of the first section of this joint resolution.

SEC. 4. The President is authorized to extend invitations to foreign governments to be represented by their accredited diplomatic agents at the celebration to be held at Fort McHenry on September 14, 1939, in commemoration of the one hundred and twenty-fifth anniversary

of the writing of the Star-Spangled Banner: *Provided*, That no appropriation shall be granted by the United States for expenses of delegates or for other expenses incurred in connection with such invitation.

*Proviso.*  
Restriction on use  
of funds.

Approved, August 5, 1939.

[CHAPTER 456]

JOINT RESOLUTION

Authorizing the Librarian of Congress to return to Williamsburg Lodge, Numbered Six, Ancient Free and Accepted Masons, of Virginia, the original manuscript of the record of the proceedings of said lodge.

August 5, 1939  
[H. J. Res. 183]  
[Pub. Res., No. 38]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Librarian of Congress is hereby authorized and directed to return to Williamsburg Lodge, Numbered Six, Ancient Free and Accepted Masons, of Virginia, the original manuscript of the record of the proceedings of said lodge, which is contained in one bound volume now in the manuscript division of the Library of Congress, marked "Virginia, Williamsburg Masonic Lodge, Minute Book, 1773-1779, L. C.", and which manuscript was taken from the files of said lodge during the Civil War by some party or parties unknown.

Williamsburg  
Lodge, Numbered  
Six, A. F. & A. M.,  
of Va.  
Return of original  
manuscript of lodge  
proceedings to, au-  
thorized.

Approved, August 5, 1939.

[CHAPTER 457]

JOINT RESOLUTION

Providing that the farmers' market in blocks 354 and 355 in the District of Columbia shall not be used for other purposes.

August 5, 1939  
[H. J. Res. 340]  
[Pub. Res., No. 39]

Whereas a farm market was conducted on Louisiana Avenue between Ninth and Twelfth Streets for thirty or forty years under the supervision of the Department of Agriculture; and

Whereas the farmers were induced to give up this market on condition that other land of equal size and value would be obtained; and

Whereas \$300,000 was appropriated in March 1929 for this purpose; and

Whereas two city blocks, known as 354 and 355 in southwest Washington, were obtained and deeded to the District of Columbia to be used expressly for a farmers' market; and

Whereas part of block 355 has now been taken for a District inspection station in direct opposition to this agreement and breaking the implied contract that this project would be available for a farm market; and

Whereas there is danger of the rest of the market also being confiscated: Therefore be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the remaining parts of these lots shall from now on be inviolate as a farmers' market and shall not be taken from them as long as needed by said farmers as a market place.

District of Colum-  
bia.  
Farmers' market.

Area set aside and  
reserved as.

Approved, August 5, 1939.



## [CHAPTER 477]

## AN ACT

August 5, 1939  
[H. R. 7288]  
[Public, No. 291]

To perfect the consolidation of the Lighthouse Service with the Coast Guard by authorizing the commissioning, appointment, and enlistment in the Coast Guard, of certain officers and employees of the Lighthouse Service, and for other purposes.

Lighthouse Service.  
Commissioning of  
certain qualified per-  
sonnel in Coast Guard  
authorized.

§ U. S. C. §§ 661-  
674; Supp. IV, §§ 673,  
673c.

Exception.  
40 Stat. 608.  
33 U. S. C. § 763.  
Post, p. 1343.  
Proviso.  
Qualifications  
required.

Officers so commis-  
sioned to be extra  
numbers in grades.

Status.

Eligibility for pro-  
motion.

Proviso.  
Assignments.

Vacancies.

Chief warrant of-  
ficers.  
Eligibility.

40 Stat. 608.  
33 U. S. C. § 763.  
Post, p. 1343.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President is hereby authorized to commission, by and with the advice and consent of the Senate, in the line of the Coast Guard in grades appropriate to their qualifications, experience, and lengths of service, as determined by the Secretary of the Treasury (hereinafter referred to as the "Secretary"), such personnel of the Lighthouse Service as, on June 30, 1939, were serving in grades 1 to 8, inclusive, of the professional and scientific service as defined in the Classification Act of 1923, as amended (U. S. C., 1934 edition, Supp. IV, title 5, sec. 673), and who, on that date, met the requirements for retirement (except those relating to age and period of service) of section 6 of the Act approved June 20, 1918 (40 Stat. 608), as amended and supplemented (U. S. C., title 33, sec. 763): *Provided*, That no person shall be commissioned under the provisions of this section who does not possess such mental, moral, professional, and physical qualifications as may be prescribed by the Secretary.

SEC. 2. Any officer commissioned pursuant to section 1 of this Act shall be an extra number in his grade and in the grades to which he may be promoted. He shall take precedence (1) with other officers commissioned in his grade pursuant to section 1 of this Act as the Secretary may determine, and (2) with other line officers in his grade in accordance with the respective dates of their commissions in such grade. He shall be eligible for promotion, if otherwise qualified, at such time as the officer in a regular number in line of promotion next above him on the seniority list becomes eligible for promotion; or if there be no such officer in his grade, he shall be eligible for promotion, if otherwise qualified, when a vacancy occurs in the next higher grade: *Provided*, That an officer commissioned pursuant to section 1 of this Act shall be assigned to duty for which he is specially qualified, and professional examinations for promotion given to such officer shall embrace only subjects which pertain to the duty to which he is assigned.

SEC. 3. Each vacancy (1) hereafter occurring in the extra numbers of officers commissioned pursuant to section 1 of this Act; (2) existing on the date of the enactment of this Act in positions in the Lighthouse Service formerly held by personnel described in section 1 of this Act; and (3) created by the retirement, resignation, death, or separation from the service for any other cause, of personnel described in section 1 of this Act who do not possess the qualifications prescribed by the Secretary, or who, being qualified, do not accept a commission thereunder, shall operate to increase by one the total authorized number of line officers of the Coast Guard.

SEC. 4. (a) The President is hereby authorized to commission, by and with the advice and consent of the Senate, as chief warrant officers of the Coast Guard as the needs of the service may require, such personnel of the Lighthouse Service as, on June 30, 1939, met the requirements for retirement (except those relating to age and period of service) of section 6 of the Act approved June 20, 1918, as amended and supplemented, and who possess such mental, moral, professional, and physical qualifications as may be prescribed by the Secretary.

(b) Under such regulations as he may prescribe the Secretary is hereby authorized to appoint or cause to be enlisted, in the Coast Guard, in warrant grades or enlisted ratings appropriate to their qualifications, experience, and lengths of service, such personnel of the Lighthouse Service as, on June 30, 1939, met the requirements for retirement (except those relating to age and period of service) of section 6 of the Act approved June 20, 1918, as amended and supplemented.

(c) Chief warrant officers and warrant officers commissioned or appointed under the provisions of this section shall take precedence among themselves as the Secretary may determine, and with other chief warrant and warrant officers in accordance with the dates of their respective commissions or warrants in such grades.

SEC. 5. Vacancies created by the retirement, resignation, death, or separation from the service for any other cause, of personnel described in section 4 of this Act who do not possess the qualifications prescribed by the Secretary, or who, being qualified, do not accept a commission, appointment, or enlistment thereunder, may or may not be filled, in the discretion of the Secretary, in accordance with the existing needs of the service. If such vacancy be filled it shall be filled from among the chief warrant, warrant, or enlisted personnel of the Coast Guard.

SEC. 6. In computing length of service, for the purpose of retirement in the Coast Guard, of any person commissioned, appointed, or enlisted under the provisions of this Act, there shall be included all service computable for retirement under the provisions of section 6 of the Act of June 20, 1918, as amended and supplemented.

SEC. 7. No person commissioned, appointed, or enlisted in the Coast Guard pursuant to this Act shall suffer any reduction in the total of the annual compensation and allowances which he was receiving on the date of his commission, appointment, or enlistment. Upon his retirement from active duty in the Coast Guard, the retired pay of any person so commissioned, appointed, or enlisted, shall not be less than an annuity computed in accordance with the provisions of section 6 of the Act of June 20, 1918, as amended and supplemented, substituting, however, for purposes of such computation, the annual compensation which he was receiving on the date of his commission, appointment, or enlistment in the Coast Guard for the average annual pay received by him for the last five years of service.

SEC. 8. All persons commissioned, appointed, or enlisted in the Coast Guard pursuant to this Act, shall be subject to all laws and regulations for the government of the Coast Guard, and nothing contained in this Act shall be construed to prevent the application to any of such persons of laws and regulations concerning the military discipline of commissioned and warrant officers and enlisted men of the Coast Guard.

SEC. 9. All Acts or parts of Acts, inconsistent with the provisions of this Act, are hereby repealed.

Approved, August 5, 1939.

Appointment, etc., in appropriate warrant grades or enlisted ratings.

40 Stat. 608.  
33 U. S. C. § 763.  
Post, p. 1343.  
Status.

Vacancies.

Computation of service for retirement purposes.

40 Stat. 608.  
33 U. S. C. § 763.  
Post, p. 1343.  
No salary, etc., reductions.

Retired pay.

Personnel subject to applicable laws and regulations.  
Military discipline.

Repeal of inconsistent laws.

## [CHAPTER 478]

### AN ACT

To amend section 9 of the Act of July 3, 1926 (44 Stat. 817), entitled "An Act to readjust the commissioned personnel of the Coast Guard, and for other purposes."

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 9 of the Act entitled "An Act to readjust the commissioned personnel of the Coast Guard, and for other purposes", approved July 3, 1926

August 5, 1939  
[H. R. 5611]  
[Public, No. 292]

Coast Guard.  
44 Stat. 817.  
14 U. S. C. §§ 5a,  
102, 123.

Officers in grades of district commander and constructor on active duty, transfer to line of Coast Guard.

Precedence.

*Proviso.*  
Appointment of Charles Walker as lieutenant commander.  
Officers so commissioned to be extra numbers.  
Promotions.

Assignment, etc.

Vacancies.

45 Stat. 1533.  
14 U. S. C. § 10.

Status preserved.

Grades abolished.  
Repeal of conflicting laws.

(44 Stat. 817), is hereby amended by striking out the second and third sentences and substituting in lieu thereof the following:

"All officers in the grades of district commander and constructor on active duty are hereby transferred to the line of the Coast Guard and shall be commissioned in the grades of commander, lieutenant commander, and lieutenant, according to the ranks held by them on the date of such transfer, and shall when so transferred and commissioned take precedence (1) with each other in their respective grades, according to length of commissioned service as district commander or constructor, as the case may be; (2) with other line officers in such grades, according to length of service in the ranks held by them on the date of such transfer; and (3) in higher grades to which they may be promoted, according to the dates of commissions in such higher grades: *Provided*, That the President is hereby authorized to appoint Charles Walker to the grade of lieutenant commander with precedence next after Irwin B. Steele. Each officer commissioned pursuant to this section shall be an extra number in his grade and in the grades to which he may be promoted, and shall be eligible for promotion, if otherwise qualified, whenever the officer in a regular number in line of promotion next above him on the seniority list becomes eligible for promotion; or if there be no such officer in his grade, he shall be eligible for promotion, if otherwise qualified, when a vacancy occurs in the next higher grade. Any officer commissioned pursuant to this section shall be assigned to duty in his specialty and the professional examination of such officer for promotion shall embrace only those subjects pertaining to such specialty."

SEC. 2. Each vacancy existing in the grade of constructor and in the grade of district commander on the date of the approval of this Act, and each vacancy which shall hereafter occur in the extra number of officers commissioned pursuant to this Act, shall operate to increase by one the total number of line officers in the Coast Guard authorized by section 1 of the Act of March 2, 1929 (45 Stat. 1533), as amended.

SEC. 3. No officer commissioned pursuant to this Act shall suffer any reduction in rank, pay, or allowances, by reason of the provisions of this Act, or lose any right to promotion which he would have had but for the enactment of this Act.

SEC. 4. The grades of district commander and constructor on the active list in the Coast Guard are hereby abolished and all provisions of law in conflict with this Act are hereby repealed.

Approved, August 5, 1939.

#### [CHAPTER 479]

#### AN ACT

August 5, 1939  
[H. R. 5912]  
[Public, No. 293]

Authorizing the Secretary of War to permit Salt Lake City, Utah, to construct and maintain certain roads, streets, and boulevards across the Fort Douglas Military Reservation.

Fort Douglas Military Reservation, Utah.  
Construction of roads, etc., across, by Salt Lake City, authorized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War is authorized to permit the Board of Commissioners of Salt Lake City, Utah, to construct and maintain such roads, streets, and boulevards across lands of the United States located within the Fort Douglas Military Reservation in the State of Utah as he may determine will not interfere with the use of such lands in such manner as the public interest may require. Any grant of permission to construct and maintain any such road, street, or boulevard shall be made subject to such conditions as the Secretary may prescribe for the purpose of protecting the public interest.

Approved, August 5, 1939.

## [CHAPTER 480]

## AN ACT

To authorize postmasters within the Territory of Alaska to administer oaths and affirmations, and for other purposes.

August 5, 1939  
[H. R. 6114]  
[Public, No. 294]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That each postmaster within the Territory of Alaska is hereby authorized and directed to administer oaths and affirmations and to take acknowledgments, and to make and execute certificates thereof, and to perform all other functions of a notary public within said Territory, whenever an oath, affirmation, or acknowledgment or a certificate thereof is authorized, permitted, or required by any Act or Acts of Congress.

Alaska.  
Postmasters within,  
authorized to perform  
certain notarial func-  
tions.

SEC. 2. Each certificate of oath, affirmation, or acknowledgment executed by a postmaster within the Territory of Alaska under the authority of this Act shall be signed by the postmaster, with a designation of his title as such postmaster, shall have affixed thereto the cancelation stamp of the post office, and shall state the name of the post office and the date on which such oath or affirmation is administered or such acknowledgment is taken.

Certificate, form,  
etc.

SEC. 3. Except as otherwise provided or required by an Act of Congress, for administering an oath or affirmation, or taking an acknowledgment, or performing any other function of a notary public within the Territory of Alaska as herein provided, the postmaster is authorized to charge and receive the fees prescribed by law for a notary public for similar services in said Territory.

Fees.

Approved, August 5, 1939.

## [CHAPTER 481]

## AN ACT

To provide for the disposition of certain records of the United States Government.

August 5, 1939  
[H. R. 6585]  
[Public, No. 295]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That whenever any agency of the United States Government has in its custody an accumulation of records that are not needed by it in the transaction of its current business and that appear to it to have no permanent value or historical interest, the head of such agency shall submit a written report thereon to the Archivist of the United States in which he shall state the location and describe the character of such records so as to enable the Archivist to identify them. Said report shall be submitted in triplicate and shall be accompanied by samples of the several kinds of records listed therein.

Government rec-  
ords.  
Disposition of cer-  
tain, not needed in  
transaction of current  
business.

Report to Archivist.

SEC. 2. When used in this Act, the word "records" means originals or copies of motion-picture or other photographic records in any form whatsoever, sound recordings, correspondence, papers, indexes, maps, charts, plans, drawings, punch cards, tabulation sheets, pictures, and other kinds of records belonging to the United States Government.

"Records" defined.

SEC. 3. The Archivist, with the approval of the National Archives Council, shall submit to Congress, at such times as he shall deem expedient, lists of records reported to him in the manner prescribed by section 1 of this Act that appear to him to have no permanent value or historical interest to the Federal Government.

Submission of lists  
to Congress.

SEC. 4. Whenever the Archivist shall submit to Congress, in compliance with the provisions of section 3 of this Act, lists of records that appear to him to have no permanent value or historical interest to the Federal Government, it shall be the duty of the presiding officer of the Senate to appoint two Senators who, with the members of the

Appointment of  
joint Congressional  
committee to examine  
and make recom-  
mendation.

Committee on the Disposition of Executive Papers of the House of Representatives, shall constitute a joint committee, to which such lists shall be referred, and said joint committee shall meet and examine said lists and submit to the Senate and House of Representatives, respectively, a report of such examination and their recommendation.

Disposition of unnecessary or useless records.

SEC. 5. If such joint committee report that any of the records described in the lists referred to them are not needed or useful in the transaction of the current business of the agency by which they were reported to the Archivist and have no permanent value or historical interest to the Federal Government, then it shall be the duty of the head of said agency to dispose of said records by one of the following methods:

Methods.

(a) By sale, upon the best obtainable terms after due publication of notice inviting proposals therefor;

(b) By causing them to be destroyed;

(c) By transfer (without cost to the United States Government) to any State or dependency of the United States of America or to any appropriate educational institution, library, museum, historical, research, or patriotic organization therein, that has made application to him therefor, through the Archivist of the United States. All moneys derived from the sale of such records shall be paid into the Treasury of the United States by said agency.

Disposition of proceeds.

Disposition, on failure of joint committee to report.

If said joint committee shall fail to make a report during any regular or special session of Congress on any list of records that has been submitted to Congress by the Archivist not less than ten days prior to the adjournment of such session, the Archivist may empower the agency by which such records were reported to him to dispose of them by any of the methods prescribed in this section.

Disposition between sessions.

If it shall appear to the Archivist that any records reported to him in the manner prescribed by section 1 of this Act, while Congress is not in session, have no permanent value or historical interest and have the same form numbers or form letters or are of the same specific kind as other records of the same agency previously authorized for disposition by Congress, he may empower said agency to make disposition of said similar records by any of the methods prescribed in this section.

Report to Congress.

The Archivist shall submit to Congress at the beginning of each session a descriptive list of all records authorized for disposition by him during the preceding recess of Congress.

Report to Archivist by head of agency making disposition.

SEC. 6. When any records of the United States Government have been disposed of in accordance with the provisions of section 5 of this Act, the head of the agency making such disposition shall submit a written report thereon to the Archivist of the United States in which he shall describe the character and volume of such records and state when and by what method the disposition thereof was accomplished. If any of the records described in a particular report are shown thereby to have been sold, such report shall give the amount of the purchase price received therefor and the total cost of effecting such sales. Said report shall also give the names and post-office addresses of all institutions, associations, or other organizations to which any records therein described have been transferred.

Summarization of data to Congress.

SEC. 7. The Archivist of the United States shall transmit to Congress, at the beginning of each regular session, a concise summarization of the data contained in the reports filed with him by heads of agencies of the Government during the preceding fiscal year in compliance with the provisions of section 6 of this Act.

Destruction of records that are a continuing menace to health.

SEC. 8. Whenever the Archivist shall determine that any records in his custody, or which have been reported to him by any agency under the terms of section 1 of this Act, are a continuing menace

to human health or life or to property, he shall cause such records to be destroyed immediately at such place and by such method as he shall select: *Provided, however*, That if said records have been transferred to his custody, he shall report the disposition thereof to the Congress and to the agency from which they were transferred.

SEC. 9. Whenever it shall appear to the Archivist that there are in his custody any records that are without permanent value or historical interest to the Federal Government he shall submit lists thereof to Congress in the manner provided by section 3 of this Act: *Provided, however*, That the Archivist shall not report to Congress, under the provisions of this section, records of any existing agency of the United States without the written consent of the said agency.

SEC. 10. The procedures herein prescribed to be followed are exclusive, and no records of the United States Government may be alienated or destroyed except by authority sought and obtained under the provisions of this Act.

SEC. 11. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed.

Approved, August 5, 1939.

*Proviso.*  
Report to Congress.

Report by Archivist of records in his custody without permanent value, etc.

*Proviso.*  
Records of existing agencies.

Procedures prescribed deemed exclusive.

Repeal of inconsistent Acts.

#### [CHAPTER 482]

##### AN ACT

To permit the importation free of duty of certain literature for distribution at the Golden Gate International Exposition of 1939.

August 5, 1939

[H. R. 7263]

[Public, No. 296]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 4 of the Act entitled "An Act relating to the importation of distilled spirits for consumption at the New York World's Fair, 1939, and the Golden Gate International Exposition of 1939, and to duties on certain articles to be exhibited at the New York World's Fair, 1939", approved April 29, 1939, is amended by inserting before the period at the end thereof a comma and the following: "or at the Golden Gate International Exposition of 1939".

Approved, August 5, 1939.

Golden Gate International Exposition of 1939.

*Note*, p. 626.  
Tourist literature for free distribution, free entry.

#### [CHAPTER 483]

##### JOINT RESOLUTION

To approve the action of the Secretary of the Interior deferring the collection of certain irrigation construction charges against lands under the San Carlos and Flathead Indian irrigation projects.

August 5, 1939

[H. J. Res. 264]

[Pub. Res., No. 40]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That in accordance with the Act of June 22, 1936, the action of the Secretary of the Interior in deferring such charges under said irrigation projects is hereby approved.

Approved, August 5, 1939.

San Carlos and Flathead Indian irrigation projects, deferment of construction charges.

49 Stat. 1803.  
25 U. S. C., Supp. IV, §§ 389-389e.

#### [CHAPTER 493]

##### AN ACT

To legalize a free highway bridge now being constructed across the Des Moines River, at Levy, Iowa.

August 5, 1939

[S. 2563]

[Public, No. 297]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the consent of Congress is hereby granted to the Iowa State Highway Commission to complete construction of a free highway bridge and approaches

Des Moines River. Bridge across, at Levy, Iowa, legalized.

34 Stat. 84.  
33 U. S. C. §§ 491-498.

Amendment.

thereto being constructed across the Des Moines River at Levy, Iowa, and to maintain and operate said bridge as a lawful structure subject to the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 5, 1939.

#### [CHAPTER 494]

#### JOINT RESOLUTION

August 5, 1939  
[S. J. Res. 185]  
[Pub. Res., No. 41]

To authorize the Assistant Secretary of the Navy to continue to serve as Acting Secretary of the Navy until the appointment of a Secretary, and for other purposes.

Acting Secretary of the Navy.  
Assistant Secretary may continue to serve as, until appointment of Secretary.  
R. S. §§ 180, 1761.  
5 U. S. C. §§ 7, 56.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That notwithstanding the provisions of section 180, Revised Statutes, the Assistant Secretary of the Navy may continue to serve as Acting Secretary of the Navy until such time as a Secretary of the Navy shall be appointed to succeed the late Secretary of the Navy, the Honorable Claude A. Swanson, deceased; and the provisions of section 1761, Revised Statutes, shall not be applicable to an appointment to fill the existing vacancy in said office.

Approved, August 5, 1939.

#### [CHAPTER 495]

#### JOINT RESOLUTION

August 5, 1939  
[H. J. Res. 208]  
[Pub. Res., No. 42]

Authorizing the Joint Committee on the Library to procure an oil portrait of former President Herbert Hoover.

Portrait of former President Herbert Hoover.  
Procurement authorized.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Joint Committee on the Library is hereby authorized to procure an oil portrait of former President Herbert Hoover, for the White House, to be painted by American artists, at a cost not to exceed \$2,500. The committee shall have the advice of the Commission of Fine Arts in accordance with the Act of Congress approved May 17, 1910.

Approved, August 5, 1939.

#### [CHAPTER 500]

#### AN ACT

August 6, 1939  
[H. R. 2883]  
[Public, No. 298]

To amend the Federal Firearms Act (Public, Numbered 785, seventy-fifth Congress) so as to more adequately define the term "ammunition" as said term is defined in said Act.

Federal Firearms Act, amendment.  
52 Stat. 1250.  
15 U. S. C., Supp. IV, § 901 (8).  
"Ammunition", definition modified.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 1, subsection 8, of the Federal Firearms Act (Public, Numbered 785, Seventy-fifth Congress) be amended so as to read as follows, to wit:

"(8) The term 'ammunition' shall include only pistol or revolver ammunition. It shall not include shotgun shells, metallic ammunition suitable for use only in rifles, or any .22 caliber rimfire ammunition."

Approved, August 6, 1939.

## [CHAPTER 501]

## AN ACT

To provide for the administration of the United States courts, and for other purposes.

August 7, 1939  
[S. 188]

[Public, No. 296]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Judicial Code is hereby amended by adding at the end thereof a new chapter to be numbered XV and entitled "The Administration of the United States Courts", as follows:

Judicial Code,  
amendments.  
36 Stat. 1087-1169.  
28 U. S. C. chs. 1-13;  
Supp. IV, chs. 1-13.

## "CHAPTER XV—THE ADMINISTRATION OF THE UNITED STATES COURTS

"SEC. 302. There shall be at the seat of government an establishment to be known as the Administrative Office of the United States Courts, with a Director at the head thereof who shall be appointed by the Supreme Court of the United States and hold office at the pleasure of and be subject to removal by the aforesaid Court. There shall be in said establishment an Assistant Director, to be appointed and hold office in like manner, who shall perform such duties as may be assigned to him by the Director and, during the absence or incapacity of the Director or during a vacancy in that office, shall act as Director. The Director and Assistant Director shall receive annual salaries of \$10,000 and \$7,500, respectively. The Director shall cause a seal of office to be made for the said establishment of such design as the Supreme Court of the United States shall approve, and judicial notice shall be taken of the said seal.

Administrative Office of United States Courts, establishment.  
Director, appointment.

Assistant Director, appointment, duties, etc.

Salaries.  
Seal of office.

"SEC. 303. The Director, with the approval of the Supreme Court, shall have authority, subject to the civil-service laws, to appoint such employees as are deemed necessary to perform the functions and duties vested in said establishment by this chapter, and the Director shall fix their compensation according to the Classification Act of 1923, as amended. During his term of office or employment, no officer or employee of said establishment shall engage directly or indirectly in the practice of law in any of the courts of the United States.

Employees.

5 U. S. C. §§ 661-674;  
Supp. IV, §§ 673, 673c.  
Law practice restriction.

"SEC. 304. The Director shall be the administrative officer of the United States courts and shall have charge, under the supervision and direction of the conference of senior circuit judges, of—

Director to be administrative officer of U. S. courts.

"(1) All administrative matters relating to the offices of the clerks and other clerical and administrative personnel of the courts, but nothing contained in this chapter shall be construed as affecting the authority of the courts to appoint their administrative or clerical personnel, or the authority of the Attorney General respecting United States marshals and their deputies, United States attorneys and their assistants;

Administration of personnel matters; appointments excluded.

"(2) Examining the state of the dockets of the various courts and securing information as to their needs for assistance, if any, and the preparation of statistical data and reports of the business transacted by the courts, and promptly transmitting the information so obtained quarterly to the senior circuit judges of the respective circuits, to the end that proper action may be taken with respect thereto, but inspections of the dockets of the courts outside the continental United States shall be made through officials of the United States Government residing within the jurisdiction, respectively, of the said courts;

Examination of state of court dockets.

Preparation of statistical data.

Inspections outside continental United States.

"(3) The disbursement, directly and through the several United States marshals as now provided by law, of the moneys appropriated for the maintenance, support, and operation of the courts;

Disbursement of moneys for maintenance, etc., of courts.

"(4) The purchase, exchange, transfer, and distribution of equipment and supplies;

Equipment and supplies.



Examination, etc., of vouchers and accounts.

Providing of court, etc., accommodations.

Other matters as may be assigned.

Estimates of expenditures, etc., to Bureau of the Budget.

Inclusion of supplemental, etc., estimates.

Approval before presentation of designated estimates.

Inclusion in Budget without revision.

42 Stat. 20.  
31 U. S. C. § 11.  
Annual report to conference of senior circuit judges.

Time for filing.

Judicial council, meetings.

Duty of district judges.

Assignments outside of districts.

Annual conferences to be held in each judicial circuit.

Participation by members of the bar.

"(5) The examination and audit of vouchers and accounts of the officials and employees covered by this chapter;

"(6) The providing of accommodations for the use of the courts and the various officials and employees covered by this chapter; and

"(7) Such other matters as may be assigned to him by the Supreme Court and the conference of the senior circuit judges. The clerks of the district courts, their deputies and assistants, and all other employees of said courts shall comply with any and all requests made by the Director or one of his assistants for information and statistical data bearing on the state of the dockets of such courts.

"SEC. 305. The Director, under the supervision of the conference of senior circuit judges, shall prepare and submit annually to the Bureau of the Budget estimates of the expenditures and appropriations necessary for the maintenance and operation of the United States courts and the administrative office of the United States courts, and such supplemental and deficiency estimates as may be required from time to time for the same purposes, in accordance with the provisions of the Budget and Accounting Act. Such estimates in respect of the circuit courts of appeals, the district courts of the United States, and the courts hereinafter referred to in the Territories and possessions, and of the administrative office shall be approved by the conference of senior circuit judges before their presentation to the Bureau of the Budget. Such estimates in respect to the United States Court of Customs and Patent Appeals, the Court of Claims, and the United States Customs Court shall be approved by the judges of such courts, respectively, before submission to the Bureau of the Budget. All estimates so submitted shall be included in the Budget without revision (but subject to the recommendations of the Bureau of the Budget thereon), in the same manner as is provided for the estimates of the Supreme Court by section 201 of said Act. The Director shall submit annually to the conference of senior circuit judges a report of the activities of the administrative office and of the state of business of the courts, together with the statistical data compiled and submitted by him to the senior circuit judges as provided by clause 2 of section 304, with his recommendations. Such report shall be filed at least two weeks prior to the annual meeting of the conference, and a copy thereof shall also be filed with the Congress and with the Attorney General. Such report shall be a public document.

"SEC. 306. To the end that the work of the district courts shall be effectively and expeditiously transacted, it shall be the duty of the senior circuit judge of each circuit to call at such time and place as he shall designate, but at least twice in each year, a council composed of the circuit judges for such circuit, who are hereby designated a council for that purpose, at which council the senior circuit judge shall preside. The senior judge shall submit to the council the quarterly reports of the Director required to be filed by the provisions of section 304, clause (2), and such action shall be taken thereon by the council as may be necessary. It shall be the duty of the district judges promptly to carry out the directions of the council as to the administration of the business of their respective courts. Nothing contained in this section shall affect the provisions of existing law relating to the assignment of district judges to serve outside of the districts for which they, respectively, were appointed.

"SEC. 307. A conference shall be held annually in each judicial circuit, at such time and place, as shall be designated by the senior circuit judge thereof, which conference shall be composed of circuit and district judges in such circuit who reside within the continental United States, with participation in such conference on the part of members of the bar under rules to be prescribed by the circuit courts

of appeals, for the purpose of considering the state of the business of the courts and advising ways and means of improving the administration of justice within the circuit. The senior circuit judge and each judge summoned and attending such conferences shall be allowed his actual expenses of travel and his necessary expenses for subsistence, not to exceed \$10 per day, which payments shall be made by the United States marshal for the district in which the conference is held, upon the written certificate of the judge incurring such expenses.

Travel, subsistence,  
etc., allowances.

"SEC. 308. The provisions of this chapter shall apply to the several United States circuit courts of appeals, the United States Court of Appeals for the District of Columbia, the several district courts of the United States in the continental United States, the Court of Claims, the United States Court of Customs and Patent Appeals, the United States Customs Court, the District Court for the District of Alaska, the District Court for the District of Hawaii, the District Court of the United States for Puerto Rico, the United States District Court for the District of the Canal Zone, the District Court of the Virgin Islands, and the United States Court for China. The term 'courts' as used in this chapter means the courts specified in this section. The term 'continental United States' as used in this chapter means the States of the Union and the District of Columbia. For the purposes of this chapter, the District of Columbia shall be deemed to be a judicial circuit. The chief justice of the United States Court of Appeals for the District of Columbia shall have the duties, powers, and authority of the senior circuit judge for such circuit, and the associate justices of the United States Court of Appeals for the District of Columbia shall have the duties, powers, and authority of circuit judges for such circuit."

Application of provisions.

Terms defined.

Chief justice, etc.,  
U. S. Court of Appeals for D. C., powers, etc.

SEC. 2. The following quoted provision of the Act making appropriations for the Departments of State and Justice, and for the Department of Commerce (H. R. 6392) for the fiscal year ending June 30, 1940, approved June 29, 1939, Public Act Numbered 156, Seventy-sixth Congress, first session, to wit: "That no part of this appropriation shall be used to defray the salary or expenses of any probation officer whose work fails to comply with the official orders, regulations, and probation standards promulgated by the Attorney General: *Provided further*, That no funds herein appropriated shall be used to defray the salary or expenses of any probation officer unless the district judge shall have so far as possible required the appointee to conform with the qualifications prescribed by the Attorney General: *Provided further*, That nothing herein contained shall be construed to abridge the right of the district judges to appoint probation officers, or to make such orders as may be necessary to govern probation officers in their own courts:" is hereby repealed.

Provisions respecting disqualification of probation officer repealed.  
*Ante*, p. 902.

SEC. 3. Those employees of the Department of Justice engaged in the audit of accounts and vouchers referred to in section 304 of the Judicial Code shall, as far as practicable, be transferred to the Administrative Office of the United States Courts. In such event, the appropriations available for the current fiscal year, from which such employees are paid, shall be apportioned between the Department of Justice and the Administrative Office of the United States Courts, on the basis of duties transferred to the latter office. All records, documents, and papers relating to the audit of accounts referred to in section 304 of the Judicial Code shall be transferred from the Department of Justice to the Administrative Office of the United States Courts.

Transfer of Department of Justice personnel engaged in auditing judicial accounts.  
*Ante*, p. 1223.

Transfer of records, etc.

SEC. 4. All unexpended appropriations for the support, maintenance, and operation of the courts specified in section 306 of the

Transfer of funds.  
*Post*, p. 1403.

*Ante*, p. 1223.

Retired judges, pay.

28 U. S. C. § 375;  
Supp. IV, § 375.

Administrative audit of judicial accounts, etc.

*Ante*, p. 1223.

Provisions respecting personnel, U. S. courts.

Judicial Code for the current fiscal year, and all unexpended appropriations covering judicial personnel as specified in section 304 (1) of the Judicial Code, including appropriations for the salaries of justices and judges who have retired or who have resigned under the provisions of section 260 of the Judicial Code (U. S. C., title 28, sec. 375), are hereby transferred to the control of the Administrative Office of the United States Courts.

SEC. 5. All powers and duties now conferred or imposed by law upon the Department of Justice or the Attorney General, relating to the administrative audit of the accounts and vouchers referred to in section 304 of the Judicial Code, are hereby transferred to and vested in the Administrative Office of the United States Courts.

SEC. 6. All administrative powers and duties now conferred or imposed by law upon the Department of Justice or the Attorney General, respecting clerks of courts, deputy clerks of courts and clerical assistants, law clerks, secretaries, and stenographers to the judges, and librarians in charge of libraries of the courts, and such other employees of the courts not excluded by section 304 of chapter XV as hereinbefore set forth, are hereby vested in the Administrative Office of the United States Courts.

Effective date.

SEC. 7. This Act shall take effect ninety days after its approval.  
Approved, August 7, 1939.

#### [CHAPTER 502]

#### AN ACT

August 7, 1939  
[H. R. 7096]  
[Public, No. 300]

To amend an Act entitled "An Act to provide for the complete independence of the Philippine Islands, to provide for the adoption of a constitution and a form of government for the Philippine Islands, and for other purposes".

Philippine Independence Act, amendments.

48 Stat. 459.  
48 U. S. C. § 1236.

Trade relations provisions, Jan. 1, 1940, to July 3, 1946.

Export taxes, imposition by Philippine Government.

Rates.

No export taxes upon articles of designated classes.

Copra or manila fiber not dressed, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 6 of the Act of March 24, 1934, entitled "An Act to provide for the complete independence of the Philippine Islands, to provide for the adoption of a constitution and a form of government for the Philippine Islands, and for other purposes" (48 Stat. 456), is hereby amended to read as follows:

"SEC. 6. During the period beginning January 1, 1940, and ending July 3, 1946, trade relations between the United States and the Philippines shall be as now provided by law, subject to the following exceptions:

"(a) On and after January 1, 1941, the Philippine Government shall impose and collect an export tax on every Philippine article shipped from the Philippines to the United States, except as otherwise specifically provided in this section. Said tax shall be computed in the manner hereinafter set forth in this subsection and in subsection (c) of this section. During the period January 1, 1941, through December 31, 1941, the export tax on every such article shall be 5 per centum of the United States duty; on each succeeding January 1 thereafter the export tax shall be increased progressively by an additional 5 per centum of the United States duty, except that during the period January 1, 1946, through July 3, 1946, the export tax shall remain at 25 per centum of the United States duty.

"(b) (1) No export tax described in subsection (a) of this section shall be imposed or collected upon any Philippine article of a class or kind in respect of which a quota is established by subdivision (3) of this subsection, nor upon copra or manila (abaca) fiber not dressed or manufactured in any manner.

"(2) The United States duty shall be levied, collected, and paid in the United States upon every article which is of a class or kind in respect of which a quota is established by subdivision (3) of this subsection and which is entered, or withdrawn from warehouse, for consumption after December 31, 1939, in excess of its respective quota: *Provided, however,* That nothing in this section or any subsection thereof shall be construed to exempt the quota of coconut oil therein provided for from the excise taxes provided for in section 2470 of the Internal Revenue Code (I. R. C., ch. 21, sec. 2470).

"(3) For the purposes indicated in subdivisions (1) and (2) of this subsection, there are hereby established the following quotas of the designated Philippine articles: For the calendar year 1940, the quotas, hereafter called original quotas, shall be as follows:

"a. cigars (exclusive of cigarettes, cheroots of all kinds, and paper cigars and cigarettes including wrappers), two hundred million cigars;

"b. scrap tobacco, and stemmed and unstemmed filler tobacco described in paragraph 602 of the Tariff Act of 1930, four million five hundred thousand pounds;

"c. coconut oil, two hundred thousand long tons;

"d. buttons of pearl or shell, eight hundred and fifty thousand gross.

For each calendar year thereafter through the calendar year 1945, each of the said quotas shall be the same as the corresponding quota for the immediately preceding calendar year, less 5 per centum of the corresponding original quota.

"For the period January 1, 1946, through July 3, 1946, each of said quotas shall be one-half of the corresponding quota specified for the calendar year 1945.

"(c) The Philippine Government, in imposing and collecting export taxes on Philippine embroideries, shall compute the tax in accordance with the formulas specified in subsection (a) of this section, except that in determining the taxable value of any such article, an allowance shall be made equal to the cost—cost, insurance, and freight the Philippines—of any cloth of United States origin used in the production thereof.

"(d) The United States duty shall be levied, collected, and paid, in the United States, upon all Philippine sugars, which are entered, or withdrawn from warehouse, for consumption in any calendar year after 1939, in excess of eight hundred and fifty thousand long tons, of which not more than fifty thousand long tons may be refined sugars: *Provided, however,* That for the period January 1, 1946, through July 3, 1946, the quota of Philippine sugars, not subject to the United States duty, shall be four hundred and twenty-five thousand long tons, of which not more than twenty-five thousand long tons may be refined sugars. Any export tax imposed and collected on Philippine sugars entered or withdrawn from warehouse for consumption in excess of the quotas established by this subsection shall be refunded by the Philippine Government.

"(e) Upon the expiration of the Act of June 14, 1935 (49 Stat. 340), as extended to May 1, 1941, by proclamation of the President, dated January 26, 1938, the total amount of all Philippine cordage coming into the United States which may be entered or withdrawn from warehouse, for consumption during the remainder of the calendar year 1941, shall not exceed four million pounds and in any calendar year after 1941 shall not exceed six million pounds: *Provided, however,* That for the period January 1, 1946, through July 3, 1946, the total amount of Philippine cordage which may be entered, or withdrawn

U. S. import duties upon designated articles in excess of quotas for consumption after 1939.

*Provido.*  
Coconut oil, excise taxes.

*Ante,* p. 261.  
I. R. C. § 2470.

Establishment of quotas.

Original (1940) quota.

Cigars (exclusive of cigarettes, etc.).

Scrap, etc., tobacco.  
46 Stat. 631.  
19 U. S. C. § 1001.

Coconut oil.

Buttons of pearl or shell.

Progressive decreases, through calendar year 1945.

For period Jan. 1, 1946, through July 3, 1946.

Philippine embroideries.

Sugars.

*Provido.*  
Quota for period Jan. 1, 1946, through July 3, 1946.

Excess, entered or withdrawn from warehouse for consumption; refund.

Philippine cordage, etc.  
49 Stat. 340; 52 Stat. 1534.  
43 U. S. C., Supp. IV, § 1236a.

*Provido.*  
Quota for period Jan. 1, 1946, through July 3, 1946.

Sugar quotas, allocation annually.

48 Stat. 459.  
48 U. S. C. § 1236 (d).

Allocation of quotas for cordage.

49 Stat. 340; 52 Stat. 1534.  
48 U. S. C., Supp. IV, § 1236a.

Basis for determination of quotas.

Failure of holder of allotment to ship quota before end of period.

Proceeds of export taxes to constitute a supplementary sinking fund for payment of designated Philippine, etc., bonds.

*Proviso.*  
Warehousing; refunds from July 4, 1946.

Acceptance of proceeds of export taxes authorized.

48 Stat. 929.  
48 U. S. C. § 1157.  
Administration, investment, etc., of supplementary sinking fund.

from warehouse, for consumption shall not exceed three million pounds.

“(f) (1) The quotas for sugars established by subsection (d) of this section shall be allocated annually as prescribed in section 6 (d) of the Act of March 24, 1934 (48 Stat. 456), which section in this respect is not repealed by this amendatory Act.

“(2) The quotas for cordage, established by subsection (e) of this section, and by the Act of June 14, 1935, shall be allocated by authorities of the Philippine Government among the manufacturers of such commodities proportionately upon the basis of the shipment of each such manufacturer to the United States during the twelve months immediately preceding the inauguration of the Commonwealth of the Philippines.

“(3) The quotas for all articles for which quotas are established by this section, except sugars and cordage, shall in each instance be allocated by authorities of the Philippine Government among the manufacturers whose products were shipped to the United States during the calendar year 1937, on the basis of the proportion which each manufacturer's maximum production shipped to the United States, directly or through other persons, in any calendar year during the five-year period, 1933 through 1937, bears to the total of such maximum shipments of all such manufacturers.

“(4) If, after the first nine months of any quota year, the holder of any allotment under any of the quotas established by this Act or by the Act of June 14, 1935, is or will be unable for any reason to ship to the United States by the end of the quota year the total amount of his allocation for that year, the Philippine Government shall apportion that amount of such allocation which it is established by sufficient evidence cannot be shipped to the United States during the remainder of the quota year in such manner and in accordance with such rules and regulations as it may prescribe.

“(g) (1) The Philippine Government shall pay to the Secretary of the Treasury of the United States, at the end of each calendar quarter, all of the moneys received during such quarter from export taxes (less refunds), imposed and collected in accordance with the provisions of this section, and said moneys shall be deposited in an account with the Treasurer of the United States and shall constitute a supplementary sinking fund for the payment of bonds of the Philippines, its Provinces, cities, and municipalities, issued prior to May 1, 1934, under authority of Acts of Congress: *Provided, however,* That moneys received from any export tax imposed on any article which is shipped from the Philippines to the United States prior to July 4, 1946, and which is entered, or withdrawn from warehouse for consumption, on or after July 4, 1946, shall be refunded by the independent Government of the Philippines.

“(2) The said Secretary of the Treasury is authorized to accept the deposits of the proceeds of the export taxes referred to in subdivision (1) of this subsection in accordance with the Act of June 11, 1934 (48 Stat. 929).

“(3) The Secretary of the Treasury of the United States, with the approval of the Philippine Government, is authorized to purchase with such supplementary sinking-fund bonds of the Philippines, its Provinces, cities, and municipalities, issued prior to May 1, 1934, under authority of Acts of Congress and to invest such fund in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. Whenever the Secretary of the Treasurer finds that such fund is in excess of an amount adequate to meet future interest and principal payments on all such bonds, he may, with the approval of the Philip-

pine Government, purchase with such excess any other bonds of the Philippines, its Provinces, cities, municipalities, and instrumentalities. For the purpose of this subsection obligations may be acquired on original issue at par, or by purchase of outstanding obligations at the market price. Any obligations acquired by the fund may, with the approval of the Philippine Government, be sold by the Secretary of the Treasury at the market price and the proceeds of such sale and the proceeds of the payment upon maturity or redemption of any obligations held in the supplementary sinking fund, as well as all moneys in any manner earned by such fund or on any obligations acquired by said fund, shall be paid into the said fund.

“(4) During the three months preceding July 4, 1946, the Philippine Government and the Secretary of the Treasury of the United States shall confer to ascertain that portion of the bonds of the Philippines, its Provinces, cities, and municipalities, issued prior to May 1, 1934, under authority of Acts of Congress, which will remain outstanding on July 4, 1946; and the Philippine Government shall turn over to the Secretary of the Treasury of the United States for destruction all such bonds that are then held, canceled, or uncanceled, in any of the sinking funds maintained for the payment of such bonds. After such outstanding portion of this indebtedness is thus determined, and before July 4, 1946, (i) there shall be set up with the Treasurer of the United States a special trust account in the name of the Secretary of the Treasury of the United States to pay future interest and principal payments on such bonds; (ii) the Philippine Government shall pay to the Secretary of the Treasury of the United States for deposit in this special trust account all of the sinking funds maintained for the payment of such bonds; and (iii) the Secretary of the Treasury of the United States shall transfer into this special trust account all of the proceeds of the supplementary sinking fund referred to in subdivision (1) of this subsection. Any portion of such special trust account found by the Secretary of the Treasury of the United States on July 4, 1946, to be in excess of an amount adequate to meet future interest and principal payments on all such outstanding bonds shall be turned over to the Treasury of the independent Government of the Philippines to be set up as an additional sinking fund to be used for the purpose of liquidating and paying all other obligations of the Philippines, its Provinces, cities, municipalities, and instrumentalities. To the extent that such special trust account is determined by the Secretary of the Treasury of the United States to be insufficient to pay interest and principal on the outstanding bonds of the Philippines, its Provinces, cities, and municipalities, issued prior to May 1, 1934, under authority of Acts of Congress, the Philippine Government shall, on or before July 3, 1946, pay to the Secretary of the Treasury of the United States for deposit in such special trust account an amount which said Secretary of the Treasury determines is required to assure payment of principal and interest on such bonds: *Provided, however,* That if the Secretary of the Treasury of the United States finds that this requirement would impose an undue hardship upon the Philippines, then the Philippine Government shall continue to provide annually the necessary funds for the payment of interest and principal on such bonds until such time as the Secretary of the Treasury of the United States determines that the amount in the special trust account is adequate to meet interest and principal payments on such bonds.

“(5) On and after July 4, 1946, the Secretary of the Treasury of the United States is authorized, with the approval of the independent Government of the Philippines, to purchase at the market price for the special trust account bonds of the Philippines, its Provinces,

Joint conference prior to July 4, 1946, on designated outstanding Philippine, etc., bonds.

Special trust account, establishment.

Payments by Philippine Government for deposit in trust account.

Transfer of proceeds of supplementary sinking fund.

Use of excess of such special trust account in liquidating other obligations.

Payment of deficits by Philippine Government.

*Proviso.* Modification of requirements.

Purchase for special trust account of bonds of the Philippines, etc., issued prior to May 1, 1934.

Investment in U. S. interest-bearing obligations, etc.

Payment from trust account of principal and interest on certain bonds.

Excess, after July 4, 1946, to be turned over to independent Government of the Philippines.

Certificate to accompany article shipped from Philippines after Jan. 1, 1941, subject to export tax.

48 Stat. 462.  
48 U. S. C. § 1238.

Rights and privileges of citizens and corporations of the Philippine Islands pending final withdrawal of U. S. sovereignty.

48 Stat. 463.  
48 U. S. C. § 1240.

Diplomatic or consular establishments.  
Exchanges of properties for.

cities, and municipalities, issued prior to May 1, 1934, under authority of Acts of Congress. The Secretary of the Treasury of the United States is also authorized, with the approval of the independent Government of the Philippines, to invest all or any part of such special trust account in any interest-bearing obligations of the United States or in any obligations guaranteed as to both principal and interest by the United States. Such obligations may be acquired on original issue at par or by purchase of outstanding obligations at the market price, and any obligations acquired by the special trust account may, with the approval of the independent Government of the Philippines, be sold by the Secretary of the Treasury at the market price, and the proceeds of the payment upon maturity or redemption of such obligations shall be held as a part of such special trust account. Whenever the special trust account is determined by the Secretary of the Treasury of the United States to be adequate to meet interest and principal payments on all outstanding bonds of the Philippines, its Provinces, cities, and municipalities, issued prior to May 1, 1934, under authority of Acts of Congress, the Secretary of the Treasury is authorized to pay from such trust account the principal of such outstanding bonds and to pay all interest due and owing on such bonds. All such bonds and interest coupons paid or purchased by the special trust account shall be canceled and destroyed by the Secretary of the Treasury of the United States. From time to time after July 4, 1946, any moneys in such special trust account found by the Secretary of the Treasury of the United States to be in excess of an amount adequate to meet interest and principal payments on all such bonds shall be turned over to the treasurer of the independent Government of the Philippines.

“(h) No article shipped from the Philippines to the United States on or after January 1, 1941, subject to an export tax provided for in this section, shall be admitted to entry in the United States until the importer of such article shall present to the United States collector of customs a certificate, signed by a competent authority of the Philippine Government, setting forth the value and quantity of the article and the rate and amount of the export tax paid, or shall give a bond for the production of such certificate within six months from the date of entry.”

SEC. 2. Section 8 of the said Act of March 24, 1934, is hereby amended by adding thereto a new subsection as follows:

“(d) Pending the final and complete withdrawal of the sovereignty of the United States over the Philippine Islands, except as otherwise provided by this Act, citizens and corporations of the Philippine Islands shall enjoy in the United States and all places subject to its jurisdiction all of the rights and privileges which they respectively shall have enjoyed therein under the laws of the United States in force at the time of the inauguration of the Government of the Commonwealth of the Philippine Islands.”

SEC. 3. Section 10 of the said Act of March 24, 1934, is hereby amended by adding the following subsection thereto:

“(c) (1) Whenever the President of the United States shall find that any properties in the Philippines, owned by the Philippine Government or by private persons, would be suitable for diplomatic or consular establishments of the United States after the inauguration of the independent Government, he may, with the approval of the Philippine Government, and in exchange for the conveyance of title to the United States, transfer to the said Government or private persons any properties of the United States in the Philippines. Title to any properties so transferred to private persons, and title to any properties so acquired by the United States, shall be vested in fee

simple in such persons and the United States, respectively, notwithstanding the provisions contained in subsection (a) of this section.

“(2) Whenever, prior to July 4, 1946, the President of the United States shall find that any properties of the United States in the Philippines would be suitable for diplomatic and consular establishments of the United States after the inauguration of the independent Government, he shall designate the same by the issuance of a proclamation or proclamations, and title to any properties so designated shall continue to be vested in fee simple in the United States notwithstanding the provisions contained in subsection (a) of this section.

“(3) Title to the lands and buildings pertaining to the official residences of the United States High Commissioner to the Philippine Islands in the cities of Manila and Baguio, together with all fixtures and movable objects, shall continue to be vested in the United States after July 4, 1946, notwithstanding the provisions contained in subsection (a) of this section.

“(4) Administrative supervision and control over any properties acquired or designated by the President of the United States pursuant to this subsection, and over the official residences in the Philippines of the High Commissioner, shall, on and after July 4, 1946, be exercised by the Secretary of State, in accordance with Acts of Congress relating to property held by the United States in foreign countries for official establishments.”

SEC. 4. Section 13 of the said Act of March 24, 1934, is hereby amended by striking out the proviso and inserting in lieu thereof the following: “*Provided*, That at least two years prior to the date fixed in this Act for the independence of the Philippine Islands, there shall be held a conference of representatives of the Government of the United States and the Government of the Commonwealth of the Philippine Islands, such representatives, on the part of the United States, to consist of three United States Senators appointed by the President of the Senate, three Members of the House of Representatives appointed by the Speaker of the House, and three persons appointed by the President of the United States, and, on the part of the Philippines, to consist of nine representatives to be appointed by the President of the Commonwealth of the Philippines, with the consent of the Commission on Appointments of the National Assembly, for the purpose of formulating recommendations as to future trade relations between the United States and the independent Philippine Republic, the time, place, and manner of holding such conference to be determined by the President of the United States; but nothing in this proviso shall be construed to modify or affect in any way any provision of this Act relating to the procedure leading up to Philippine independence or the date upon which the Philippine Islands shall become independent.

“In the event any vacancy occurs in the Commission by reason of the death, resignation, or retirement of any member thereof, such vacancy may be filled by the authority appointing the member whose death, resignation, or retirement caused the vacancy.”

SEC. 5. The said Act of March 24, 1934, is further amended by the addition of the following new section:

“SEC. 18. (a) As used in sections 6 and 10 of this Act—

“(1) The term ‘United States’, when used in a geographical sense, but not the term ‘continental United States’, includes all Territories and possessions of the United States, other than the Philippines.

“(2) The term ‘cordage’ includes yarns, twines (including binding twine described in paragraph 1622 of the Tariff Act of 1930 (46 Stat. 675)), cords, cordage, rope and cable, tarred or untarred, wholly or in chief value of manila (abaca) or other hard fiber.

Designation of suitable properties, prior to July 4, 1946, by Presidential proclamation.

Official residences of U. S. High Commissioner to Philippine Islands.

Exercise of administrative supervision by Secretary of State, after July 4, 1946, over certain properties.

Tariff duties after independence.  
48 Stat. 464.  
48 U. S. C. § 1243.  
Conference on future trade relations.

Representatives on part of U. S.

Representatives on part of Philippines.

Recommendations to be formulated.

Filling of vacancies in Commission.

*Ante*, pp. 1226, 1230.

Definitions.  
“United States.”

“Cordage.”  
46 Stat. 675.  
19 U. S. C. § 1201.



"Philippine Gov-  
ernment."

"United States  
duty."

"Refined sugars."  
50 Stat. 903.  
7 U. S. C., Supp. IV,  
§ 1101.

"Philippine arti-  
cle."

"American article."

"Philippine import  
duty."

Terms construed.  
"Includes", "includ-  
ing."

"Ordinary customs  
duty."

Excise taxes.  
*Ante*, p. 264.  
I. R. C. § 2470.  
Import taxes.  
*Ante*, p. 267.  
I. R. C. §§ 2490,  
2491.  
Proceeds from, to-  
gether with funds  
hereafter appropri-  
ated; usage.  
50 Stat. 915.  
7 U. S. C., Supp. IV,  
§ 1173.

"(3) The term 'Philippine Government' means the Government of the Commonwealth of the Philippines.

"(4) The term 'United States duty', when used in connection with the computation of export taxes, means the lowest rate of ordinary customs duty in effect at the time of the shipment of the article concerned from the Philippines and applicable to like articles imported into the continental United States from any foreign country, except Cuba, or when more than one rate of ordinary customs duty is applicable to such like articles, the aggregate of such rates.

"(5) The term 'refined sugars' possesses the same meaning as the term 'direct-consumption sugar' as defined in section 101 of the Sugar Act of 1937.

"(6) The term 'Philippine article' means an article the growth, produce, or manufacture of the Philippines, in the production of which no materials of other than Philippine or United States origin valued in excess of 20 per centum of the total value of such article was used and which is brought into the United States from the Philippines.

"(7) The term 'American article' means an article the growth, produce, or manufacture of the United States, in the production of which no materials of other than Philippine or United States origin valued in excess of 20 per centum of the total value of such article was used and which is brought into the Philippines from the United States.

"(8) The term 'Philippine import duty' means the lowest rate of ordinary customs duty applicable at the port of arrival, at the time of entry, or withdrawal from warehouse, for consumption of the article concerned, to like articles imported into the Philippines from any other foreign country, or when more than one rate of ordinary customs duty is applicable to such like articles, the aggregate of such rates.

"(b) As used in subsection (a) of this section:

"(1) The terms 'includes' and 'including' shall not be deemed to exclude other things otherwise within the meaning of the term defined.

"(2) The term 'ordinary customs duty' shall not include any import duty or charge which is imposed to compensate for an internal tax imposed in respect of a like domestic product or in respect of a commodity from which the imported product has been manufactured or produced in whole or in part."

SEC. 6. The said Act of March 24, 1934, is further amended by the addition of the following new section:

"SEC. 19. (a) The proceeds of the excise taxes imposed by section 2470 of the Internal Revenue Code (I. R. C., ch. 21, sec. 2470), and of the import taxes imposed by sections 2490 and 2491 of the Internal Revenue Code (I. R. C., ch. 22, secs. 2490, 2491), collected on or after January 1, 1939, and accrued prior to July 4, 1946, and required to be held in separate or special funds and paid into the Treasury of the Philippines, together with any moneys hereafter appropriated in accordance with the authorization contained in section 503 of the Sugar Act of 1937 (50 Stat. 915) by virtue of accruals of excise and import taxes prior to July 4, 1946, shall be held as separate funds and paid into the treasury of the Philippines to be used for the purpose of meeting new or additional expenditures which will be necessary in adjusting Philippine economy to a position independent of trade preferences in the United States and in preparing the Philippines for the assumption of the responsibilities of an independent

state: *Provided, however*, That the portion of such funds expended by the Government of the Commonwealth of the Philippines shall be budgeted, appropriated, and accounted for separately from other moneys of that Government.

“(b) If the President of the United States finds that the Government of the Commonwealth of the Philippines has failed or is about to fail to comply with any requirement of subsections (a) and (c) of this section, he shall direct the Secretary of the Treasury of the United States to withhold or discontinue, during any period or periods of time specified by the President of the United States further payments in whole or in part.

“(c) The provisions contained in section 2476 of the Internal Revenue Code (I. R. C., ch. 21, sec. 2476), prohibiting further payments in the event that the Government of the Commonwealth of the Philippines should provide by law for the subsidization of producers of copra, coconut oil, or allied products, and the provisions contained in the Sugar Act of 1937, specifying the purpose for which such appropriations could be used by the said government and the manner and condition of transfer, shall not apply to any moneys collected or appropriated pursuant to said Acts on or after January 1, 1939, and to this extent are hereby repealed: *Provided, however*, That the restriction contained in the proviso to section 503 of the Sugar Act of 1937 shall continue in full force and effect: *And provided further*, That no part of the proceeds of the excise taxes herein referred to shall be paid directly or indirectly as a subsidy to the producers or processors of copra, coconut oil or allied products, except that this provision shall not be construed as prohibiting the use of a portion of said funds for facilities for better curing of copra, or for bona fide production loans to Philippine copra producers.

“(d) Nothing contained herein shall be construed as obligating the United States to continue for any period of time any or all of the excise and import taxes imposed by sections 2470, 2490, 2491 of the Internal Revenue Code or by sections 3490, 3500, 3501 of the Internal Revenue Code (I. R. C., ch. 32, secs. 3490, 3500, 3501).

“(e) Notwithstanding the provisions of section 4 of the Act of March 8, 1902 (32 Stat. 54), or of any other provision of law, on or after the first day of the second month following the passage of this amendatory Act, except as otherwise provided in this section, all customs duties collected in accordance with sections 6 and 13 of this Act, on any article the growth, produce, or manufacture of the Philippines, in the production of which no materials of other than Philippine or United States origin valued in excess of 20 per centum of the total value of such article, was used and which is brought into the United States from the Philippines, and all customs duties collected on any other article brought into the United States from the Philippines, shall be covered into the general fund of the Treasury of the United States and shall not be paid into the Treasury of the Philippines.”

SEC. 7. (a) Sections 1 to 5, inclusive, of this amendatory Act shall become effective on January 1, 1940, if before that date—

(1) Subsection 5 of section 1 of the Ordinance Appended to the Constitution of the Philippines shall have been amended in the manner now provided by law, by changing the final period of said subsection to a comma, and by adding thereto the words: “as amended by the Act of Congress of the United States approved (followed by the date of the approval of this amendatory Act)”, and section 3 of the said ordinance shall have been amended by inserting immediately after the words “approved March 24, 1934” the same amendatory language mentioned above.

*Proviso.*  
Accounting.

Withholding of payments for not complying with prescribed requirements.

Certain restrictions not to apply to collections on or after Jan. 1, 1939.

*Ante*, p. 265.  
I. R. C. § 2476.

50 Stat. 903, 915.  
7 U. S. C., Supp. IV,  
§§ 1100-1183.

*Provisos.*  
Restriction on sugarcane production or processing payments.  
50 Stat. 915.  
Subsidies to producers of copra, etc., restricted.  
Exceptions.

Continuance of certain excise and import taxes not to be construed.

*Ante*, pp. 264, 267, 426, 428.  
I. R. C. §§ 2470, 2490, 2491, 3490, 3500, 3501.

32 Stat. 54.  
19 U. S. C. § 123a.  
Customs duties on certain Philippine articles to be covered into general fund of United States Treasury.  
*Ante*, pp. 1226, 1231.

Time when sections 1-5 become effective.

Ordinance Appended to Constitution of the Philippines, amendments.

Proclamation of law relating to export taxes.

Retention of laws relating to sinking fund and currency.

Effective date and duration of section 1; condition.

Status of trade relations if section 1 ineffective.

48 Stat. 459, 464.  
48 U. S. C. §§ 1236, 1243.  
*Ante*, p. 1231.

Effective date of sections 6 and 7.

48 Stat. 462.  
48 U. S. C. § 1238.  
Assignment of Foreign Service officers to the Philippines.

Assistance to U. S. High Commissioner.

48 Stat. 457.  
48 U. S. C. § 1232.

Effective date of section.

(2) The President of the United States shall have found and proclaimed that the Philippine Government has enacted, subsequent to the adoption of the amendments to the Constitution of the Philippines (as provided in subdivision (1) of this subsection), a law relating to export taxes (as provided in section 1), and has retained those Philippine laws relating to sinking-fund and currency matters which were in effect on May 20, 1938.

(b) Section 1 of this amendatory Act shall remain in full force and effect from the effective date thereof until July 4, 1946, unless the President of the United States shall, prior to July 4, 1946, have found and proclaimed that the Philippine Government has, in any substantial respect, repealed or amended, or failed or refused to enforce or administer any Philippine law referred to in subdivision (2) of subsection (a) of this section. In the event of such a finding and proclamation, section 1 shall immediately become ineffective and trade relations between the United States and the Philippines shall be as provided by section 6 of the Act of March 24, 1934, prior to the enactment of this amendatory Act and by section 13 of the said Act.

(c) Sections 6 and 7 of this amendatory Act shall become effective upon its enactment.

SEC. 8. Notwithstanding the provisions contained in section 8 (a) (3) of the Act of March 24, 1934 (48 Stat. 456), entitled "An Act to provide for the complete independence of the Philippine Islands, to provide for the adoption of a constitution and a form of government for the Philippine Islands, and for other purposes", Foreign Service officers may, under commissions as diplomatic and consular officers, be assigned to the Philippine Islands, during which assignments such officers shall be considered as stationed in a foreign country, for such periods of time and under such regulations as the Secretary of State may prescribe for the performance of any of the duties customarily performed by Foreign Service officers stationed in foreign countries and of additional duties in connection with advising and assisting the United States High Commissioner to the Philippine Islands in the supervision and control of the foreign affairs of the Commonwealth of the Philippines in accordance with section 2 (a) (10) of the Act approved March 24, 1934, and section 1 (10) of the ordinance appended to the constitution of the Philippines adopted February 8, 1935.

This section shall become effective upon its enactment.

Approved, August 7, 1939.

#### [CHAPTER 503]

#### AN ACT

August 7, 1939

[H. R. 6353]

[Public, No. 301]

Granting the consent of Congress to the State of Connecticut, acting by and through any agency or commission thereof, to construct, maintain, and operate a toll bridge across the Connecticut River at or near Hartford, Connecticut.

Connecticut River.  
Bridge authorized  
across, at Hartford,  
Conn.

34 Stat. 84.  
33 U. S. C. §§ 491-  
493.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to the State of Connecticut, acting by and through any agency or commission thereof, to construct, maintain, and operate a bridge and approaches thereto across the Connecticut River, at a point suitable to the interests of navigation, at or near Hartford, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

SEC. 2. If tolls are charged for the use of such bridge, the rates of toll shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including interest at a rate of not to exceed 5 per centum per annum and reasonable financing cost, as approved by the Commissioner of Public Roads, as soon as possible under reasonable charges, but within a period of not to exceed twenty-five years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls. An accurate record of the costs of the bridge and its approaches, the expenditure for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Application of tolls to maintenance, sinking fund, etc.

Maintenance as free bridge after amortizing costs, etc.

Record of expenditures and receipts.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, August 7, 1939.

[CHAPTER 504]

AN ACT

Granting the consent of Congress to the Secretary of the Interior, the State of Washington, and the Great Northern Railway Company to construct, maintain, and operate either a combined highway and railroad bridge or two separate bridges across the Columbia River, at or near Kettle Falls, Washington.

August 7, 1939  
[H. R. 6271]

[Public, No. 302]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to the Secretary of the Interior, the State of Washington, the Great Northern Railway Company, a corporation organized and existing under the laws of the State of Minnesota, and their successors and assigns, jointly or separately, to construct, maintain, and operate either a combined highway and railroad bridge or two separate bridges, one to be a highway bridge and one a railroad bridge, across the Columbia River at a point or points suitable to the interests of navigation, at or near Kettle Falls, and between Ferry County and Stevens County, Washington, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Columbia River.  
Bridge authorized across, at Kettle Falls, Wash.

34 Stat. 84.  
33 U. S. C. §§ 491-498.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, August 7, 1939.

[CHAPTER 505]

AN ACT

Authorizing the village of Cassville, Wisconsin, or its assigns, to construct, maintain, and operate a toll bridge across the Mississippi River at or near Cassville, Wisconsin, and to a place at or near the village of Guttenberg, Iowa.

August 7, 1939  
[H. R. 6049]

[Public, No. 303]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the village of Cassville, Wisconsin, or its assigns, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Mississippi

Mississippi River.  
Bridge authorized across, at Cassville, Wis.

34 Stat. 84.  
33 U. S. C. §§ 491-498.

Right to acquire  
real estate, etc.

Toll charges.

Application of tolls  
to operation, sinking  
fund, etc.

Maintenance as free  
bridge after amortiz-  
ing costs, etc.

Record of expendi-  
tures and receipts.

Amendment.

River, at a point suitable to the interests of navigation, at or near Cassville, Wisconsin, and to a place at or near Guttenberg, Iowa, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

SEC. 2. There is hereby conferred upon the village of Cassville, Wisconsin, or its assigns, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

SEC. 3. The said village of Cassville, Wisconsin, or its assigns, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including interest at a rate of not to exceed 5 per centum per annum and reasonable financing cost, as approved by the Commissioner of Public Roads, as soon as possible, under reasonable charges, but within a period of not to exceed twenty-five years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 5. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 7, 1939.

#### [CHAPTER 506]

#### AN ACT

August 7, 1939  
[S. 474]

[Public, No. 304]

To amend section 92 of the Judicial Code to provide for a term of court at Kalispell, Montana, and subject to the recommendation of the Attorney General of the United States to permit the provision of rooms and accommodations for holding court at Livingston, and Kalispell, Montana.

Judicial Code,  
amendment.  
36 Stat. 1118.  
28 U. S. C. § 172.  
Montana judicial  
district.  
Terms of court.

Transfer of causes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 92 of the Judicial Code, as amended, is amended to read as follows:

"SEC. 92. The State of Montana shall constitute one judicial district, to be known as the district of Montana. Terms of the district court shall be held at Helena, Butte, Great Falls, Lewistown, Billings, Missoula, Glasgow, Havre, Miles City, Livingston, and Kalispell at such times as may be fixed by rule of such court. Causes, civil and criminal, may be transferred by the court or a judge thereof from any

sitting place designated above to any other sitting place thus designated, when the convenience of the parties or the ends of justice would be promoted by the transfer; and any interlocutory order may be made by the court or judge thereof in either place: *Provided*, That suitable rooms and accommodations for holding court at Lewistown and Havre are furnished without expense to the United States: *And provided further*, That suitable rooms and accommodations for holding court at Livingston and Kalispell are furnished without expense to the United States until, subject to the recommendation of the Attorney General of the United States with reference to providing such rooms and accommodations for holding court at Livingston and Kalispell, public buildings shall have been erected or other Federal space provided for court purposes in said cities."

Approved, August 7, 1939.

*Provisos.*  
Rooms to be furnished at Lewistown and Havre.

Rooms to be provisionally furnished at Livingston and Kalispell.

[CHAPTER 507]

AN ACT

Authorizing the conveyance of certain lands to the State of Nevada.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Interior is authorized and directed to convey to the State of Nevada all right, title, and interest of the United States in the following-described area: The northwest quarter of the northeast quarter of section 11, township 43 north, range 51 east, Mount Diablo base and meridian, in part satisfaction of the grant to the State for university purposes made by the Act of July 4, 1866 (14 Stat. 85): *Provided*, That the patent issued to the State for this tract shall contain a reservation to the United States for all oil, gas, and other mineral deposits, together with the right to prospect for, mine, and remove the same under such regulations as the Secretary of the Interior may prescribe.

Approved, August 7, 1939.

August 7, 1939  
[S. 2133]

[Public, No. 305]

Nevada.  
Conveyance of certain lands to, authorized.

Description.

14 Stat. 85.

*Proviso.*  
Mineral reservation.

[CHAPTER 508]

AN ACT

To legalize a bridge across Bayou La Fourche at Cut Off, Louisiana.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Chief of Engineers and the Secretary of War are hereby authorized to approve the location and plans of a bridge already constructed by the police jury of La Fourche Parish of Louisiana across Bayou La Fourche at Cut Off, Louisiana: *Provided*, That said bridge has been authorized by the Legislature of the State of Louisiana and as located and constructed affords reasonably free, easy, and unobstructed navigation.

SEC. 2. That when the location and plans of said bridge have been approved as provided in section 1 of this Act, said bridge shall be deemed a lawful structure and subject to the laws enacted by Congress for the protection and preservation of the navigable waters of the United States.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 7, 1939.

August 7, 1939  
[S. 2392]

[Public, No. 306]

Bayou La Fourche.  
Approval of bridge across, at Cut Off, La.

*Proviso.*  
Condition.

Bridge deemed lawful upon approval of location and plans.

Amendment.

## [CHAPTER 509]

## AN ACT

August 7, 1939  
[S. 2410]  
[Public, No. 307]

Relating to the development of farm units on public lands under Federal reclamation projects with funds furnished by the Farm Security Administration.

Farm units on public lands, development of.

43 Stat. 702.  
43 U. S. C. § 433.  
Mortgage contracts.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, during the fiscal year of 1940, in order to further cooperation between the Bureau of Reclamation and the Farm Security Administration in the development of farm units on public lands under Federal reclamation projects, the Secretary of the Interior is authorized, in pursuance of cooperative agreements between the Secretary of Agriculture and the Secretary of the Interior, (1) to consider the money or any part of the money made available to settlers or prospective settlers by the Farm Security Administration, as all or a portion of the capital required of such settlers under subsection C of section 4 of the Act of December 5, 1924 (43 Stat. 702); and (2) where such farm units have been or may be improved by means of funds made available by the Farm Security Administration, to require an entryman of any such unit to enter into a mortgage contract with the Farm Security Administration to repay the value of such improvements thereon before an entry is allowed.

Approved, August 7, 1939.

## [CHAPTER 510]

## AN ACT

August 7, 1939  
[S. 2502]  
[Public, No. 308]

Authorizing the county of Howard, State of Missouri, to construct, maintain, and operate a toll bridge across the Missouri River at or near Petersburg, Missouri.

Missouri River.  
Bridge authorized across, at Petersburg, Mo.

34 Stat. 84.  
33 U. S. C. §§ 491-498.  
Right to acquire real estate, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the county of Howard, State of Missouri, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, at or near Petersburg, Missouri, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

SEC. 2. There is hereby conferred upon the county of Howard, State of Missouri, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches, as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Toll charges.

SEC. 3. The said county of Howard, State of Missouri, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Application of tolls to operation, sinking fund, etc.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating

the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including interest at a rate of not to exceed 5 per centum per annum and reasonable financing cost, as approved by the Commissioner of Public Roads, as soon as possible, under reasonable charges, but within a period of not to exceed twenty-five years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Maintenance as free bridge after amortizing costs, etc.  
Record of expenditures and receipts.

SEC. 5. Notwithstanding any restrictions or limitations imposed by the Act entitled "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes", approved July 11, 1916, or by the Federal Highway Act, or by an Act amendatory of, or supplemental to either thereof, the Secretary of Agriculture or any other Federal Department or agency of the United States Government may extend Federal aid under such Acts for the construction of said bridge out of any money allocated to the State of Missouri with the consent of the State highway commission of said State.

Extension of Federal aid.

39 Stat. 355; 42 Stat. 212.  
23 U. S. C. chs. 1, 2; Supp. IV, chs. 1, 2.

SEC. 6. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, August 7, 1939.

[CHAPTER 511]

AN ACT

To facilitate certain construction work for the Army, and for other purposes.

August 7, 1939  
[S. 2562]  
[Public, No. 309]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That to enable the Secretary of War to accomplish without delay or excessive cost those public-works projects for which appropriations are available or may become available, to be located in Alaska and the Panama Canal Zone, he is hereby authorized to enter into contracts upon a cost-plus-a-fixed-fee basis after such negotiations as he may authorize and approve and without advertising for proposals with reference thereto. Approval by the President shall be necessary to the validity of any contract entered into under authority of this section. The fixed fee to be paid the contractor as a result of any contract entered into under authority of this section shall be determined at or before the time such contract is made, and shall be set forth in such contract. Such fee shall not exceed 10 per centum of the estimated cost of the contract, exclusive of the fee, as determined by the Secretary of War. Changes in the amount of the fee shall be made only upon material changes in the scope of the work concerned as determined by the Secretary of War whose determination shall be conclusive.

Army, construction work, Alaska and Canal Zone.

Contracts authorized on a cost-plus-a-fixed-fee basis.

Approval by the President.  
Amount of fee.

Limitation.

Changes.

Negotiations.

(b) Negotiations under this section shall be between the Secretary of War, or a duly authorized representative, and three or more reputable and qualified contracting individuals, firms, or corporations regularly engaged in work of comparable magnitude and class to that contemplated by the negotiations, as determined by the Secretary of War, and contracts may be made with any such individual, firm, or corporation, or with any two or more of them jointly, upon such terms and conditions as the Secretary of War may determine to be fair and equitable and in the interests of the national defense.



Detail of Army officer as executive representative of contracting officer.

For each contract entered into under authority of this section the Secretary of War may detail an Army officer to duty, without additional compensation, as an executive representative of the contracting officer. The contract shall provide that the officer so detailed shall have the right to attend any meetings of the board of directors or other executive or administrative board or committee of any corporation, partnership, firm, or syndicate which is or may become a party thereto for the purpose of submitting propositions, propounding questions, and receiving information relative to any matter within the purview of the contract with the intent and for the purpose of safeguarding the interests of the United States, coordinating efforts, and promoting mutually beneficial relationships, and making decisions within the scope of his delegated authority and not in conflict with any provision of the contract.

Waiver of performance, etc., bond.

(c) In any project the contract for which is negotiated under authority of this section, the Secretary of War may waive the requirement of a performance and a payment bond and may accept materials required for any such project at such place or places as he may deem necessary to minimize insurance costs.

Acceptance of materials.

Annual report to Congress.

(d) The Secretary of War shall report annually to the Congress all contracts entered into under authority of this section, including the names of the contractors and copies of the contracts concerned, together with the amounts thereof.

Employment of outside corporations when advantageous to national defense.

SEC. 2. Whenever deemed by him to be advantageous to the national defense, and providing that in the opinion of the Secretary of War the existing facilities of the War Department are inadequate, the Secretary of War is hereby authorized to employ, by contract or otherwise, outside architectural or engineering corporations, firms, or individuals for the production and delivery of the designs, plans, drawings, and specifications required for the accomplishment of any public works or utilities project of the War Department without reference to the Classification Act of 1923 (42 Stat. 1488), as amended (5 U. S. C., ch. 13), or to section 3709 of the Revised Statutes of the United States (41 U. S. C. 5). In no case shall the fee paid for any service authorized by this section exceed 6 per centum of the estimated cost, as determined by the Secretary of War, of the project to which such fee is applicable.

Approved, August 7, 1939.

42 Stat. 1488.  
5 U. S. C. §§ 661-674; Supp. IV, §§ 673, 673c.  
R. S. § 3709.  
41 U. S. C. § 5.  
Fee limitation.

#### [CHAPTER 512]

#### AN ACT

August 7, 1939  
[S. 2574]

[Public, No. 310]

Authorizing the construction of a highway bridge across the Chesapeake and Delaware Canal at Saint Georges, Delaware.

Chesapeake and Delaware Canal.  
Bridge authorized across, at Saint Georges, Del.

*Proviso.*  
State to furnish requisite lands, etc.

Payment of construction cost.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the War Department under the direction of the Secretary of War and supervision of the Chief of Engineers is hereby authorized and directed to construct a four-lane high-level fixed highway bridge across the Chesapeake and Delaware Canal, at or near Saint Georges, Delaware, of such type, design, and clearances for navigation as are approved by the Chief of Engineers: *Provided*, That the State of Delaware shall furnish all lands, easements, and rights-of-way required for such bridge.

SEC. 2. That the cost of constructing such four-lane bridge shall be paid from funds heretofore or hereafter appropriated for maintenance and improvement of river and harbor works.

Approved, August 7, 1939.

## [CHAPTER 513]

## AN ACT

To authorize the construction of a bridge across the Ohio River at or near Mauckport, Harrison County, Indiana.

August 7, 1939

[S. 2589]

[Public, No. 311]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to promote interstate commerce, improve postal service, and provide for military and other purposes the Indiana State Toll Bridge Commission be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Ohio River, at a point suitable to the interest of navigation at or near Mauckport, Harrison County, Indiana, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Ohio River.  
Bridge authorized  
across, at Mauckport,  
Ind.

34 Stat. 84.  
33 U. S. C. §§ 491-  
493.

SEC. 2. There is hereby conferred upon the Indiana State Toll Bridge Commission all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridges and its approaches as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Acquisition of real  
estate, etc.

SEC. 3. The said Indiana State Toll Bridge Commission is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Toll charges.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including interest at a rate of not to exceed 5 per centum per annum and reasonable financing cost, as approved by the Commissioner of Public Roads, as soon as possible, under reasonable charges, but within a period of not to exceed thirty years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls. An accurate record of the cost of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Application of tolls  
to operation, sinking  
fund, etc.

Maintenance as free  
bridge after amortiz-  
ing costs, etc.

Record of expendi-  
tures and receipts.

SEC. 5. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, August 7, 1939.

## [CHAPTER 514]

## AN ACT

August 7, 1939

[S. 2738]

[Public, No. 312]

Hawaii.  
Ratification of Act  
extending time for  
issuance of certain  
revenue bonds.

48 U. S. C. §§ 491-  
678; Supp. IV, §§ 562a-j,  
634b, c.

To ratify and confirm act 58 of the Session Laws of Hawaii, 1939, extending the time within which revenue bonds may be issued and delivered under act 174 of the Session Laws of Hawaii, 1935.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That act 58 of the Session Laws of Hawaii, 1939, amending section 17 of act 174 of the Session Laws of Hawaii, 1935, as amended, so as to extend the time within which revenue bonds may be issued and delivered under said act 174, is hereby ratified and confirmed and revenue bonds may be issued under and pursuant to the provisions of said act 174 of the Session Laws of Hawaii, 1935, as amended, and as further amended by said act 58, without the approval of the President of the United States and without incurring of an indebtedness within the meaning of the Hawaiian Organic Act, and said act 174, as amended, shall constitute full authority for the issuance of said bonds without reference to and independent of the Hawaiian Organic Act.

Approved, August 7, 1939.

## [CHAPTER 515]

## AN ACT

August 7, 1939

[S. 2784]

[Public, No. 313]

Virgin Islands.  
49 Stat. 1808.  
48 U. S. C., Supp.  
IV, § 1405c.

Government of, con-  
trol of certain property.

Applicability of  
Federal laws for pro-  
tection, etc., of navi-  
gable waters.

No Federal tonnage  
duties, etc.

Legislative Assem-  
bly empowered to  
enact local inspection  
and safety laws.  
Application of cer-  
tain Federal laws when  
in public interest.

Authorizations here-  
tofore granted not  
impaired.

Disposal of surplus  
property.

To amend section 4 of the Act entitled "An Act to provide a civil government for the Virgin Islands of the United States", approved June 22, 1936.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 4 of the Act entitled "An Act to provide a civil government for the Virgin Islands of the United States", approved June 22, 1936, be, and the same is hereby, amended to read as follows:

"SEC. 4. (a) All property which may have been acquired by the United States from Denmark in the Virgin Islands under the convention entered into August 4, 1916, not reserved by the United States for public purposes prior to June 22, 1937, is hereby placed under the control of the Government of the Virgin Islands.

"(b) Except as otherwise expressly provided, all laws of the United States for the protection and improvement of the navigable waters of the United States shall apply to the Virgin Islands.

"(c) No Federal laws levying tonnage duties, light money, or entrance and clearance fees shall apply to the Virgin Islands.

"(d) The Legislative Assembly of the Virgin Islands shall have power to enact navigation, boat inspection, and safety laws of local application; but the President shall have power to make applicable to the Virgin Islands such of the navigation, vessel inspection, and coastwise laws of the United States as he may find and declare to be necessary in the public interest, and, to the extent that the laws so made applicable conflict with any laws of local application enacted by the Legislative Assembly, such laws enacted by the Legislative Assembly shall have no force and effect.

"(e) Nothing in this Act shall be construed to affect or impair in any manner the terms and conditions of any authorizations, permits, or other powers heretofore lawfully granted or exercised in or in respect of the Virgin Islands by any authorized officer or agent of the United States.

"(f) The Secretary of the Interior shall be authorized to lease or to sell upon such terms as he may deem advantageous to the Government of the United States any property of the United States under his administrative supervision in the Virgin Islands not needed for public purposes."

Approved, August 7, 1939.

## [CHAPTER 516]

## AN ACT

To amend an Act entitled "An Act to reserve lands to the Territory of Alaska for educational uses, and for other purposes", approved March 4, 1915 (38 Stat. 1214-1215).

August 7, 1939

[H. R. 3025]

[Public, No. 314]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act of Congress approved March 4, 1915 (38 Stat. L. 1214-1215), being an Act to reserve lands of the Territory of Alaska for educational uses, and for other purposes, be, and the same is hereby, amended by adding to the first section of the Act the following: "Timber on the reserved lands may be sold by the Secretary of the Interior under the provisions of section 11 of the Act of Congress approved May 14, 1898 (30 Stat. 409-414), and such lands and the minerals therein shall be subject to disposition under the mining and mineral leasing laws of the United States, upon conditions providing for compensation to any Territorial lessee for any resulting damages to crops or improvements on such lands, but the entire proceeds or income derived by the United States from such sale of timber and disposition of the lands or the minerals therein are hereby appropriated and set apart as permanent funds in the Territorial treasury, to be invested and the income expended for the same purposes and in the manner hereinbefore provided for. Any leases issued by the Territory after a valid appropriation of such reserved lands under the mining laws or the mineral leasing laws of the United States shall be with due regard to the rights of the mineral claimant.

"The Secretary of the Interior is hereby authorized to make all necessary rules and regulations in harmony with the provisions and purposes of this Act for the purpose of carrying the same into effect."

Approved, August 7, 1939.

Alaska, reserve lands for educational uses.

38 Stat. 1214.

48 U. S. C. § 353.

Sale of timber.

30 Stat. 414.

48 U. S. C. §§ 421, 423; Supp. IV, § 423.

Disposition of lands and minerals therein.

Use of proceeds, etc.

Rights of mineral claimants regarded in issuance of leases.

Rules and regulations.

## [CHAPTER 517]

## AN ACT

To amend the Act of March 2, 1929 (45 Stat. 536).

August 7, 1939

[H. R. 3215]

[Public, No. 315]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 1 (a) (1) of the Act of March 2, 1929, entitled "An Act to supplement the naturalization laws, and for other purposes" (45 Stat., ch. 536, p. 1512), which now reads "(1) Entered the United States prior to June 3, 1921", is hereby amended, effective as of the date this Act is enacted, so as to read as follows: "(1) Entered the United States prior to July 1, 1924".

Approved, August 7, 1939.

Naturalization. Aliens having no record of admission for permanent residence. Entry prior to July 1, 1924, registration. 45 Stat. 1513. 8 U. S. C. § 106a; Supp. IV, § 106a.

## [CHAPTER 518]

## AN ACT

To authorize M. H. Gildow to construct a free, movable, pontoon footbridge across Muskingum River Canal at or near Beverly, Ohio.

August 7, 1939

[H. R. 3375]

[Public, No. 316]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That M. H. Gildow, his heirs, or legal representatives, is hereby authorized to construct, maintain, and operate a free, movable, pontoon footbridge and approaches thereto across the Muskingum River Canal at or near Island Park, in Beverly, Ohio, at a point suitable to the interests of navigation, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to conditions and limitations contained in this Act.

Muskingum River Canal. Pontoon footbridge authorized across, at Beverly, Ohio.

34 Stat. 84.

33 U. S. C. §§ 491-495.

## Amendment.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 7, 1939.

## [CHAPTER 519]

## AN ACT

August 7, 1939  
[H. R. 5684]  
[Public, No. 317]

Amending the Act of Congress of June 25, 1938 (C. 710, 52 Stat. 1207), authorizing the Secretary of the Interior to pay salaries and expenses of the chairman, secretary, and interpreter of the Klamath General Council, members of the Klamath Business Committee and other committees appointed by said Klamath General Council, and official delegates of the Klamath Tribe.

Klamath Indians.  
52 Stat. 1207.

Transportation pay-  
ments to official dele-  
gates.

Salary and per diem  
restrictions.

Reimbursement for  
official telegraphic ex-  
penses.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act approved June 25, 1938 (52 Stat. 1207), be, and the same hereby is, amended by striking out the second proviso thereof and inserting in lieu thereof the following: "*Provided further*, That the official delegates of the tribe carrying on said business at the seat of government shall receive, if travel is by rail, the usual railroad and sleeping-car transportation to and from the seat of government or, if travel is by automobile, delegates furnishing such transportation shall receive an amount equivalent to the cost of their railroad and sleeping-car transportation to and from the seat of government, but salary and per diem shall not be paid to delegates traveling by automobile for any period in excess of the time required to perform the travel by railroad: *Provided further*, That the aforesaid official delegates shall also receive reimbursement for telegraphic expenses incurred on tribal business:."

Approved, August 7, 1939.

## [CHAPTER 520]

## AN ACT

August 7, 1939  
[H. R. 5764]  
[Public, No. 318]

To provide for the establishment of a cemetery within the Crab Orchard Creek Dam Project, Williamson County, Illinois.

Crab Orchard Creek  
Dam Project, Wil-  
liamson County, Ill.  
Establishment of  
cemetery within.

Condition.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That subject to the provisions of section 2, the Soil Conservation Service, Department of Agriculture, is authorized and directed to remove the bodies buried within the area of the Crab Orchard Creek Dam Project, Williamson County, Illinois, from their present location and reinter such bodies in any land within the area of such project which may be available for use as a cemetery.

SEC. 2. The provisions of section 1 shall not be carried out until after the formation by private interests of a corporation for the operation and maintenance of such cemetery on a nonprofit basis.

Approved, August 7, 1939.

## [CHAPTER 521]

## AN ACT

August 7, 1939  
[H. R. 5988]  
[Public, No. 319]

To amend an Act entitled "An Act to require the registration of certain persons employed by agencies to disseminate propaganda in the United States and for other purposes", approved June 8, 1938 (Public Law Numbered 583, Seventy-fifth Congress, third session).

Dissemination of  
propaganda in the  
United States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 1 of the Act entitled "An Act to require the registration of certain persons employed by agencies to disseminate propaganda in the United States and for other purposes", approved June 8, 1938 (Public Law Num-

bered 583, Seventy-fifth Congress, third session), be, and it is hereby, amended to read as follows:

"That as used in this Act—

"(a) The term 'person' means an individual, partnership, association, or corporation;

"(b) The term 'United States' includes the United States and any place subject to the jurisdiction thereof;

"(c) The term 'foreign principal' includes the government of a foreign country, a political party of a foreign country, a person domiciled abroad, any foreign business, partnership, association, corporation, or political organization, or a domestic organization subsidized, directly or indirectly, in whole or in part by any of the entities described herein;

"(d) The term 'agent of a foreign principal' means any person who acts or engages or agrees to act as a public-relations counsel, publicity agent, or as agent, servant, representative, or attorney for a foreign principal, and shall include any person who receives compensation from or is under the direction of a foreign principal: *Provided, however,* That such term shall not include—

"(1) a duly accredited diplomatic or consular officer of a foreign government who is so recognized by the Department of State of the United States; nor

"(2) any official of a foreign government recognized by the United States as a government other than a public-relations counsel or publicity agent or a citizen of the United States, whose status and the character of whose duties as such official are of record in the Department of State of the United States; nor

"(3) any member of the staff of or person employed by a duly accredited diplomatic or consular officer of a foreign government who is so recognized by the Department of State of the United States, other than a public-relations counsel or publicity agent, whose status and the character of whose duties as such member or employee are of record in the Department of State of the United States; nor

"(4) any person performing only private, nonpolitical, financial, mercantile, or other activities in furtherance of the bona fide trade or commerce of such foreign principal; nor

"(5) any person engaged only in activities in furtherance of bona fide religious, scholastic, academic, or scientific pursuits or of the fine arts.

"(e) The term 'Secretary' means the Secretary of State of the United States."

SEC. 2. That section 3 of the Act entitled "An Act to require the registration of certain persons employed by agencies to disseminate propaganda in the United States and for other purposes", approved June 8, 1938 (Public Law Numbered 583, Seventy-fifth Congress, third session), is hereby amended to read as follows:

"SEC. 3. Every person who has filed a registration statement required by section 2 shall, within thirty days after the expiration of each period of six months succeeding the first filing, file with the Secretary a statement, under oath, on a form prescribed by the Secretary, which shall set forth with respect to such preceding six months' period—

"(a) Such facts as may be necessary to make the information required under section 2 hereof accurate and current with respect to such period;

"(b) The amount and form of compensation received by such person for acting as agent for a foreign principal which has been received during such six months' period either directly or indirectly from any foreign principal; and

52 Stat. 631.  
22 U. S. C., Supp.  
IV, § 233a.  
Definitions.

"Person."

"United States."

"Foreign principal."

"Agent of a foreign principal."

*Proviso.*  
Exemptions.  
Duly accredited diplomatic or consular officer.

Official, other than publicity agent, etc.

Member of staff of such diplomatic, etc., officer.

Exception.

Person engaged in private, etc., activities in furtherance of bona fide trade.

Religious, scholastic, or scientific pursuits.

"Secretary."

52 Stat. 632.  
22 U. S. C., Supp.  
IV, § 233c.

Statement required after expiration of each six months' period; time for filing.

Facts to make information accurate and current.

Amount and form of compensation received as agent.

Statement contain-  
ing details of activities  
during period.

52 Stat. 632.  
22 U. S. C., Supp.  
IV, § 233d.

Permanent record of  
statements; public in-  
spection.

*Proviso.*  
Withdrawal of  
registration statement  
of person ceasing ac-  
tivities.

"(c) A statement containing such details required under this Act as the Secretary shall fix, of the activities of such person as agent of a foreign principal during such six months' period."

SEC. 3. That section 4 of the Act entitled "An Act to require the registration of certain persons employed by agencies to disseminate propaganda in the United States and for other purposes", approved June 8, 1938 (Public Law Numbered 583, Seventy-fifth Congress, third session), is hereby amended to read as follows:

"SEC. 4. The Secretary shall retain in permanent form all statements filed under this Act, and such statements shall be public records and open to public examination and inspection at all reasonable hours, under such rules and regulations as the Secretary may prescribe: *Provided*, That the Secretary is hereby authorized to withdraw from the public records the registration statement of any person whose activities have ceased to be of a character which requires registration under the terms of this Act."

Approved, August 7, 1939.

#### [CHAPTER 545]

#### AN ACT

To amend sections 6 and 7 of the Act entitled "An Act for the retirement of employees of the Alaska Railroad, Territory of Alaska, who are citizens of the United States", approved June 29, 1936.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That sections 6 and 7 of the Act entitled "An Act for the retirement of employees of the Alaska Railroad, Territory of Alaska, who are citizens of the United States", approved June 29, 1936 (49 Stat. 2017), are hereby amended to read as follows:

"SEC. 6. The annuity of an employee retired under the provisions of this Act shall be composed of—

"(1) A sum equal to \$37.50 multiplied by the number of years of service, not to exceed thirty years, rendered (a) on the Alaska Railroad or (b) in the military or naval service of the United States in the Tropics or in Alaska; and

"(2) The annuity purchasable with the sum to the credit of the employee's individual account, including accrued interest thereon computed as prescribed in section 11 (a) hereof, according to the experience of the Alaska Railroad retirement and disability fund as may from time to time be set forth in tables of annuity values by the board of actuaries; and

"(3) Thirty dollars multiplied by the number of years of service rendered and not allowable under paragraph (1) hereof: *Provided*, That the number of years of service to be used in computing the allowance under paragraph (3) shall not exceed the difference between thirty and the number of allowable years of service under paragraph (1); and

"(4) Thirty-six dollars multiplied by the number of years' service rendered in the Territory of Alaska in the construction of the Alaska Railroad, either in the employ of the Alaskan Engineering Commission and the Alaska Railroad or of either of them, between March 12, 1914, and July 1, 1923, plus the number of years' service, if any, rendered on the Isthmus of Panama either in the employ of the Isthmian Canal Commission or the Panama Railroad Company between May 4, 1904, and April 1, 1914.

"In no case, however, shall the total annuity paid exclusive of that provided in paragraph (4) hereof, be less than an amount equal to the sum of—

August 7, 1939  
[H. R. 2178]  
[Public, No. 320]

Alaska Railroad Re-  
tirement Act, amend-  
ments.

49 Stat. 2020, 2021.  
5 U. S. C., Supp.  
IV, §§ 745e, 745f.

Annuities; computa-  
tion.

Service on Alaska  
Railroad and certain  
military, etc., service.

Purchasable annu-  
ity.

Service elsewhere.  
*Proviso.*  
Limitation on num-  
ber of years.

Service, construc-  
tion of Alaska Rail-  
road.

Service on Isthmus  
of Panama.

Minimum annuity.

"The average annual basic salary, pay, or compensation, not to exceed \$2,000 per annum, received by the employee during any five consecutive years of allowable service at the option of the employee, multiplied by the number of years of service used in computing the annuity under paragraph (1) hereof, and divided by forty, and the average annual basic salary, pay, or compensation, not to exceed \$1,600 per annum, received by the employee during any five consecutive years of allowable service at the option of the employee, multiplied by the number of years of service used in computing the annuity under paragraph (3) hereof, and divided by forty.

Method of computation.

"The annuity granted under paragraphs (1), (3), and (4) of this section shall not exceed three-fourths of the average annual basic salary, pay, or compensation received by the employee during any five consecutive years of allowable service at the option of the employee.

Annuity limited to three-fourths of average annual salary, pay, etc.

"Any employee at the time of his retirement may elect to receive, in lieu of the life annuity herein described, an increased annuity of equivalent value which shall carry with it a proviso that no unexpended part of the principal upon the annuitant's death shall be returned. For the purposes of this Act all periods of service shall be computed in accordance with section 7 hereof, and the annuity shall be fixed at the nearest multiple of twelve.

Increased annuity at employee's option.

"The term 'basic salary, pay, or compensation', wherever used in this Act, shall be so construed as to exclude from the operation of the Act all bonuses, allowances, overtime pay, or salary, pay, or compensation given in addition to the base pay of the position as fixed by law or regulation.

Computation of periods of service.

"Basic salary, pay, or compensation", bonuses, etc., excluded.

"SEC. 7. Subject to the provisions of section 8, hereof, the service which shall form the basis for calculating the amount of any benefit provided in this Act shall be computed from the date of original employment, whether as a classified or an unclassified employee in the civil service of the United States or under the municipal government of the District of Columbia, including periods of service at different times and in one or more departments, branches, or independent offices of the Government and service in Alaska with the Alaskan Engineering Commission and the Alaska Railroad, or of either of them, and service on the Isthmus of Panama with the Isthmian Canal Commission, the Panama Canal, or the Panama Railroad Company; also periods of service performed overseas under authority of the United States and periods of honorable service in the Army, Navy, Marine Corps, or Coast Guard of the United States. In the case of an employee, however, who is eligible for and elects to receive a pension under any law, or retired pay on account of military or naval service, or compensation under the War Risk Insurance Act, the period of his military or naval service upon which such pension, retired pay, or compensation is based shall not be included, but nothing in this Act shall be so construed as to affect in any manner his right to a pension, or to retired pay, or to compensation under the War Risk Insurance Act in addition to the annuity herein provided.

Accredited service. Periods included.

Overseas service, etc.

Deduction of periods for which military, etc., pension based.

"In computing length of service for the purposes of this Act all periods of separations from the service, and so much of any leave of absence without pay as may exceed six months in the aggregate in any calendar year, shall be excluded: *Provided*, That river-boat employees, who in the past have been, or in the future may be, employed during the navigation season under a working agreement, shall for the purpose of this Act be considered in a leave-of-absence-without-pay status for the time prior and subsequent to the season of navigation during the calendar year in which employed.

Periods of separations, etc., excluded.

*Proriso.*  
River-boat employees engaged during navigation season.



Fractions of a month disregarded.

"In determining the total periods of service upon which the allowances are to be computed under section 6 hereof, the fractional part of a month, if any, shall be eliminated from each respective total period."

Approved, August 7, 1939.

[CHAPTER 546]

AN ACT

August 7, 1939

[H. R. 7320]

[Public, No. 321]

District of Columbia Revenue Act of 1939, amendment.  
*Ante*, p. 1096.

Reciprocal exchange of information with the United States and the several States.

To amend the District of Columbia Revenue Act of 1939, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That subsection (c) of section 21 of title II of the District of Columbia Revenue Act of 1939, is amended to read as follows:

"(c) RECIPROCAL EXCHANGE OF INFORMATION WITH THE UNITED STATES AND THE SEVERAL STATES.—Notwithstanding the provisions of this section, the assessor may permit the proper officer of the United States or of any State imposing an income tax or his authorized representative to inspect income-tax returns, file with the assessor or may furnish to such officer or representative a copy of any such income-tax returns provided the United States or such State grant substantially similar privileges to the assessor or his representative, or to the proper officer of the District charged with the administration of this title."

Approved, August 7, 1939.

[CHAPTER 547]

AN ACT

August 7, 1939

[S. 2478]

[Public, No. 322]

Brien McMahon.  
Restrictions respecting certain counsel waived in favor of.

To limit the operation of sections 109 and 113 of the Criminal Code and section 190 of the Revised Statutes of the United States with respect to counsel in certain cases.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the employment of Brien McMahon as an attorney or counselor specially employed, retained, or appointed by the Attorney General or under authority of the Department of Justice, at a compensation not to exceed the rate of \$10,000 per annum, to assist in the conduct of the case of United States against Mary Helen Corporation and others, in the eastern district of Kentucky, and the case of Société Suisse pour Valeurs de Metaux, petitioner, against Homer S. Cummings, Attorney General of the United States, and William A. Julian, Treasurer of the United States, in the District of Columbia, including all proceedings therein and any other case or proceeding, appellate or otherwise, that may arise out of or pertain to the matters or any of them involved in the said cases, shall not be construed to be employment within the meaning of sections 109 and 113 of the Criminal Code of the United States, as amended (U. S. C., title 18, secs. 198 and 203), or section 190 of the Revised Statutes of the United States (U. S. C., title 5, sec. 99).

Approved, August 7, 1939.

35 Stat. 1107, 1109.  
18 U. S. C. §§ 198, 203.  
R. S. § 190.  
5 U. S. C. § 99.

## [CHAPTER 548]

## JOINT RESOLUTION

Authorizing and requesting the President to accept the invitation of the Government of Norway to the Government of the United States to participate in an International Exhibition of Polar Exploration, which will be held at Bergen, Norway, in 1940; and authorizing an appropriation to cover the expenses of such participation.

August 7, 1939  
[S. J. Res. 137]  
[Pub. Res., No. 43]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the President is hereby authorized and requested to accept the invitation extended by the Government of Norway to the Government of the United States to participate in an International Exhibition of Polar Exploration, which is to be held at Bergen, Norway, in 1940.

International Exhibition of Polar Exploration, Bergen, Norway, in 1940.  
Acceptance of invitation to participate, authorized.

SEC. 2. The President is authorized to appoint a commissioner to represent the United States at the exhibition, who will serve in this capacity without compensation; or the President is authorized to designate, upon the nomination of the Secretary of State, a permanent Government official as commissioner to represent the United States at the exhibition, who will serve in this capacity without additional compensation. The expenses of the commissioner and such staff as he may need to assist him will be met out of funds provided for the purposes of Government participation in the exhibition. The duties of the commissioner and his assistants shall be prescribed by the Secretary of State. The other departments of the Government are authorized and directed to cooperate with the Secretary of State or his authorized representatives in preparing the exhibit.

Appointment or designation of commissioner to represent United States.

Expenses.

Duties to be prescribed by Secretary of State.

Cooperation of Government departments.

SEC. 3. The Secretary of State is authorized to employ such assistants as may be deemed necessary to carry out the provisions of this resolution, and to fix their reasonable compensation without regard to the civil-service laws and regulations and the Classification Act of 1923, as amended; to purchase such materials, contract for such labor and other services as may be necessary, without regard to the provisions of section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5). The Secretary of State may delegate to the commissioner or other officer any of the powers vested in him by this resolution as may be deemed advisable.

Employment of assistants.

5 U. S. C. §§ 661-674;  
Supp. IV, §§ 673, 673c.

R. S. § 3709,  
41 U. S. C. § 5.  
Delegation of powers.

SEC. 4. In order to defray the expenses of representation of the United States at the exhibition, including personal services in the District of Columbia or elsewhere; transportation of things; traveling and subsistence expenses; rent and heating, lighting and maintenance services; printing and binding; selection, purchase, assembling, preparation, transportation, arrangement, safekeeping, demonstration, removing, repairing, and altering of an exhibit or exhibits, including the preparation of an exhibit plan; official cards; entertainment; hire, maintenance, and operation of motor-propelled passenger-carrying vehicles; communication service; purchase or rental of furniture and equipment; stationery and supplies, books of reference, and periodicals, newspapers and other appropriate publications, maps, reports, documents, plans, specifications, and manuscripts; and ice and drinking water for office use: *Provided*, That arrangements for telephone services, rents, and subscriptions to newspapers and periodicals may be made in advance; and such other expenses as may be necessary in the opinion of the Secretary of State to carry out the purposes of this resolution; the sum of \$15,000, or so much thereof as may be necessary, is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to remain available until expended for the purposes of this joint resolution, and any unexpended balances shall be covered into

Appropriation authorized for expenses.

Provisos.  
Advance arrangements.

Expenditures subject to approval of Secretary of State.  
Delegation of authority.

Limitation.

Audit of accounts, etc.

Exhibits by Government agencies.

R. S. § 3709.  
41 U. S. C. § 5.

Acceptance of contributions of materials.

Return or disposal at close of exhibition.

Payment of designated expenses from appropriation herein authorized.

Report to Congress.

the Treasury of the United States. All expenditures shall be subject to the approval of the Secretary of State and payable upon his certification: *Provided further*, That he is authorized in his discretion to delegate this authority to the commissioner or such other officer as he may deem advisable. Such expenditures shall not be subject to the provisions of any law regulating or limiting expenditure of public money other than this resolution, but this provision shall not be construed to waive the submission of accounts and vouchers to the General Accounting Office for audit, or permit any indebtedness to be incurred in excess of the amount authorized to be appropriated.

SEC. 5. The heads of the various executive departments and independent offices and establishments of the Government are authorized and directed to assist the Secretary of State, or such other officers of the Government as may be designated or appointed by the Secretary of State, to assemble the exhibit, in the procurement, installation, and display of an exhibit, or exhibits; to lend such materials, articles, manuscripts, documents, papers, specimens, and exhibits as the Secretary of State shall deem to be in the interest of the United States in carrying out the purposes of this resolution; and to contract for such labor or other services as may be requested by the Secretary of State, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5).

SEC. 6. The commissioner or officer in charge of the preparation of the exhibit, with the approval of the Secretary of State, may receive from any source contributions of material to aid in carrying out the general purposes of this resolution, and at the close of the exhibition or when the connection of the Government of the United States therewith ceases shall, under the direction of the Secretary of State, return the articles so contributed to the source from which they came, or dispose of them, or such portion thereof as may be unused, and account therefor.

SEC. 7. Any expenses incident to the restoration of any of the property assembled under the provisions of this resolution, to such a condition which will permit its use at subsequent exhibitions or celebrations, and for the continued employment of personnel necessary to close out the fiscal and other records and to prepare the reports, may be paid from the appropriation authorized herein.

SEC. 8. It shall be the duty of the Secretary of State to transmit to the Congress within six months after the close of the exhibition a detailed statement of all expenditures, together with such other reports as may be deemed proper, which reports shall be prepared and arranged with a view to concise statement and convenient reference.

Approved, August 7, 1939.

#### [CHAPTER 550]

#### AN ACT

August 7, 1939  
[H. R. 2642]

[Public, No. 323]

To amend the Act entitled "An Act for the retirement of employees of the Alaska Railroad, Territory of Alaska, who are citizens of the United States", approved June 29, 1936, and for other purposes.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That subsection (c) of section 11 of the Act entitled "An Act for the retirement of employees of the Alaska Railroad, Territory of Alaska, who are citizens of the United States", approved June 29, 1936, is amended to read as follows:

"(c) In case an annuitant shall die without having received in annuities purchased by the employee's contributions as provided in

Alaska Railroad Retirement Act, amendments.

49 Stat. 2023.  
5 U. S. C., Supp. IV,  
§ 745j (c).

Annuitant dying before receiving amount to his credit.

(2) of section 6 of this Act an amount equal to the total amount to his credit at time of retirement, the amount remaining to his credit and any accrued annuity shall be paid, upon the establishment of a valid claim therefor, in the following order of precedence:

"First, to the beneficiary or beneficiaries designated in writing by such annuitant and recorded on his individual account;

"Second, if there be no such beneficiary, to the duly appointed executor or administrator of the estate of such annuitant;

"Third, if there be no such beneficiary, or executor or administrator, payment may be made, after the expiration of thirty days from the date of the death of the annuitant, to such person or persons as may appear in the judgment of the Civil Service Commission to be legally entitled thereto, and such payment shall be a bar to recovery by any other person.

"In the case of an annuitant who has elected to receive an increased annuity as provided in section 6 of this Act, the amount to be paid under the provisions of this subsection shall be only the accrued annuity."

SEC. 2. Subsection (d) of said section 11 is amended to read as follows:

"(d) In case an employee shall die without having attained eligibility for retirement or without having established a valid claim for annuity, the total amount of his deductions with interest thereon shall be paid, upon the establishment of a valid claim therefor, in the following order of precedence:

"First, to the beneficiary or beneficiaries designated in writing by such employee and recorded on his individual account;

"Second, if there be no such beneficiary, to the duly appointed executor or administrator of the estate of such employee;

"Third, if there be no such beneficiary or executor or administrator, payment may be made, after the expiration of thirty days from the date of the death of the employee, to such person or persons as may appear in the judgment of the Civil Service Commission to be legally entitled thereto, and such payment shall be a bar to recovery by any other person."

SEC. 3. Subsection (e) of said section 11 is amended to read as follows:

"(e) In case a former employee entitled to the return of the amount credited to his individual account shall become legally incompetent, the total amount due may be paid to a duly appointed guardian or committee of such former employee. If the amount of refund due such former employee does not exceed \$1,000, and if there has been no demand upon the Civil Service Commission by a duly appointed guardian or committee, payment may be made, after the expiration of thirty days from date of separation from the service, to such a person or persons, in the discretion of the Commission, who may have the care and custody of such former employee, and such payment shall be a bar to recovery by any other person."

SEC. 4. Subsection (f) of said section 11 is amended to read as follows:

"(f) Each employee or annuitant to whom this Act applies may, under regulations prescribed by the Civil Service Commission, designate a beneficiary or beneficiaries to whom shall be paid, upon the death of the employee or annuitant any sum remaining to his credit (including any accrued annuity) under the provisions of this Act."

SEC. 5. This Act shall become effective as of the thirtieth day following the date of its enactment.

Approved, August 7, 1939.

*Ante*, p. 1246.

Payments, order of precedence.

Increased annuity at employee's option.

49 Stat. 2020.  
5 U. S. C., Supp. IV,  
§ 745e.

49 Stat. 2023.  
5 U. S. C., Supp. IV,  
§ 745j (d).

Death before attaining eligibility or establishing claim for annuity.

Payments, order of precedence.

49 Stat. 2023.  
5 U. S. C., Supp. IV,  
§ 745j (e).  
Former employee becoming legally incompetent; payments.

49 Stat. 2023.  
5 U. S. C., Supp. IV,  
§ 745j (f).  
Designation of beneficiary.

Effective date.

## [CHAPTER 551]

## AN ACT

August 7, 1939  
[S. 2454]  
[Public, No. 324]

To relieve disbursing officers and certifying officers of the Veterans' Administration from liability for payment where recovery of such payment is waived under existing laws administered by the Veterans' Administration.

Veterans' Administration.  
Disbursing officers,  
etc., release of, from  
liability for certain  
payments.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That no disbursing officer and no certifying officer of the Veterans' Administration shall be held liable for any amount paid to any person where the recovery of such amount from the payee is waived under existing laws administered by the Veterans' Administration.

Effective date.

SEC. 2. This Act shall be deemed to be in effect as of June 10, 1933.

Approved, August 7, 1939.

## [CHAPTER 552]

## AN ACT

August 7, 1939  
[H. R. 2738]  
[Public, No. 325]

Providing for the disposition of certain Klamath Indian tribal funds.

Klamath Indians,  
Oreg.  
Prorata distribution  
of judgment fund for  
purposes designated.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior be, and he is hereby, authorized and directed, from the judgment fund of the Klamath and Modoc Tribes and Yahooskin Band of Snake Indians created as the result of the passage of the Act of June 25, 1938, and accrued interest thereon, to credit the sum of \$2,000 upon the books of the Office of Indian Affairs, to each person determined by the Secretary of the Interior to be entitled to enrollment upon the annuity roll of said tribes of the Klamath Reservation, Oregon, living upon the date of the enactment of this Act. The share of each adult member and not to exceed \$1,500 of the share of any minor shall be available for expenditure, under such rules and regulations as the Secretary of the Interior may prescribe, for the following purposes:

Purchase, etc., of  
lands.  
Repayment of loans.

Farming equipment  
and supplies.

*Providos.*  
Maintenance of  
aged, infirm, etc.,  
members.

Term "minor" de-  
fined.

Death payment.

Per capita payment.

Purchase of land; improvement of lands acquired or already held by the Indian; erection and improvement of suitable homes; repayment of any loans received from the United States or from the Klamath tribal funds; purchase of building material, farming equipment, livestock, feed, food, seed, grain, tools, machinery, implements, household goods, bedding, clothing, and any other equipment or supplies necessary to enable the Indians to fit themselves for or to engage in farming, livestock, industry, or such other pursuits or vocations, including education, as will enable them to become self-supporting; and health purposes: *Provided, however,* That the funds of the aged, infirm, decrepit, and incapacitated members, and of minors, may be used for their proper maintenance and support. The remainder of the share of each minor Indian shall be held intact until such Indian reaches his majority, when it, together with interest at the rate of 4 per centum per annum, shall be available for expenditure for the purposes specified herein. As herein used, the term "minor" shall include all members of the tribe less than twenty-one years of age, except that minors eighteen years of age or over and who are married or have families of their own to support, shall be regarded as adults. On the death of any enrolled member, adult, or minor, the sum on deposit to his credit shall be distributed as personal property, and shall be available for expenditure by the distributees only for the purposes herein authorized: *Provided, however,* That of the aforesaid \$2,000 to be prorated to each person, \$100 shall be paid to each member of said tribes as a per capita payment, free from the aforesaid restrictions, under rules and regulations prescribed by the Secretary of the Interior.

SEC. 2. That after the segregation provided for in section 1 hereof shall have been made, the remainder of such judgment fund, including interest, shall be available for expenditure subject to the following limitations and conditions:

(a) Three hundred thousand dollars shall be transferred to and added to the loan fund authorized by the Act of August 28, 1937 (50 Stat. 872). After the fiscal year 1939 no further sums shall be transferred to and added to the loan fund authorized by said Act from the unobligated tribal funds on deposit in the Treasury of the United States, and said Act is hereby amended accordingly.

(b) Three hundred and seventy-five thousand dollars for immediate payment in a lump sum of \$1,500 to each adult unallotted Indian found to be entitled to payment in lieu of allotment, as authorized in the Act of June 1, 1938 (52 Stat. 605): *Provided*, That the amount due any minor under the provisions of said Act shall be withheld until he becomes an adult, as herein defined, when it shall be paid to him in a lump sum from any funds, principal, or interest, on deposit to the credit of the Klamath Tribe, and section 2 of said Act of June 1, 1938, is hereby amended accordingly.

(c) Such moneys as shall remain in the principal fund shall be transferred to and become a part of the capital reserve fund created by section 1 of the Act of August 28, 1937 (50 Stat. 872).

SEC. 3. That in no event shall any portion of the said judgment fund become liable, payable, or subject to any debt or debts contracted prior to the passage of this Act by any Indian of the Klamath Tribe except debts to the United States or to the tribe.

Approved, August 7, 1939.

Expenditure of remainder after segregation has been made.

Sum to be added to loan fund; restriction.

50 Stat. 872.  
25 U. S. C., Supp.  
IV, §§ 530-535.

Payments in lieu of allotments of land.

52 Stat. 605.  
25 U. S. C., Supp.  
IV, §§ 551-556.

*Proviso.*  
Withheld from minor until he becomes adult.

Remainder to become part of capital reserve fund.

Fund not liable for debts contracted by tribal members prior to date of Act.

Exception.

#### [CHAPTER 553]

##### AN ACT

To amend the Act entitled "An Act to establish a Civilian Conservation Corps, and for other purposes", approved June 28, 1937, as amended.

August 7, 1939

[H. R. 2990]

[Public, No. 326]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 1 of the Act entitled "An Act to establish a Civilian Conservation Corps, and for other purposes", approved June 28, 1937 (50 Stat. 319), as amended, is amended by striking out of the second proviso the words "for the period of three years after July 1, 1937, and no longer" and inserting in lieu thereof the words "July 1, 1943".

Civilian Conservation Corps.

50 Stat. 319.  
16 U. S. C., Supp.  
IV, § 584.

Duration of provisions of Act.

50 Stat. 321.  
16 U. S. C., Supp.  
IV, § 584.

Official seal for Corps.

SEC. 2. Section 13 of said Act is amended by substituting a colon for a period after the last word in the section and inserting the following: "*Provided*, That the Director may designate an appropriate official seal for the Corps which shall be judicially noticed and which shall be preserved in the custody of the Director."

SEC. 3. This Act shall be immediately effective.

Approved, August 7, 1939.

#### [CHAPTER 554]

##### AN ACT

To extend the time for completing the construction of a bridge across the Columbia River near The Dalles, Oregon.

August 7, 1939

[H. R. 3122]

[Public, No. 327]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the time for completing the construction of a bridge across the Columbia River near The Dalles, Oregon, authorized to be built by The Dalles Bridge Company, a Washington corporation, by an Act of Congress approved

Columbia River.  
Time extended for bridging, at The Dalles, Oreg.

47 Stat. 1552; 48 Stat. 649; 50 Stat. 27.

*Proviso.*  
Resubmission of plans.

Amendment.

March 4, 1933, heretofore extended by Acts of Congress approved April 30, 1934, and March 10, 1937, is hereby further extended two years from March 4, 1940: *Provided*, That it shall not be lawful to continue construction of said bridge until plans therefor shall again be submitted to and approved by the Chief of Engineers and by the Secretary of War.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 7, 1939.

# [CHAPTER 555]

## AN ACT

August 7, 1939  
[H. R. 4983]  
[Public, No. 328]

To amend sections 712, 802, and 902 of the Merchant Marine Act, 1936, as amended, relative to the requisitioning of vessels.

Merchant Marine Act, 1936, amendments.  
49 Stat. 2010.  
46 U. S. C., Supp. IV, § 1202.

Charter provisions.  
Insurance requirements.

*Proviso.*  
Underwriting by Commission.

Care, etc., of vessel.

Inspection.

Termination of charter in national emergency.

49 Stat. 2011; 52 Stat. 962.  
46 U. S. C., Supp. IV, § 1212.

Construction contract provisions.

Acquisition of vessels on which construction-differential subsidy paid.  
Payment to owner; determination of amount.

Depreciation; computation.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 712 of the Merchant Marine Act, 1936, as amended (49 Stat. 2010; U. S. C., 1934 edition, Supp. IV, title 46, sec. 1202), is amended to read as follows:

"SEC. 712. Every charter shall provide—

"(a) That the charterer shall carry on the chartered vessels, at his own expense, policies of insurance covering all marine and port risks, protection and indemnity risks, and all other hazards and liabilities, in such amounts, in such form, and in such insurance companies as the Commission shall require and approve, adequate to cover all damages claimed against and losses sustained by the chartered vessels arising during the life of the charter: *Provided*, That in accordance with existing law, some or all of such insurance risks may be underwritten by the Commission itself as in its discretion, it may determine.

"(b) That the charterer shall at its own expense keep the chartered vessel in good state of repair and in efficient operating condition and shall at its own expense make any and all repairs as may be required by the Commission.

"(c) That the Commission shall have the right to inspect the vessel at any and all times to ascertain its condition.

"(d) That whenever the President shall proclaim that the security of the national defense makes it advisable, or during any national emergency declared by proclamation of the President, the Commission may terminate the charter without cost to the United States, upon such notice to the charterers as the President shall determine."

SEC. 2. That section 802 of the Merchant Marine Act, 1936, as amended (52 Stat. 962; U. S. C., 1934 edition, Supp. IV, title 46, sec. 1212), is amended to read as follows:

"SEC. 802. Every contract executed by the Commission under authority of title V of this Act shall provide that—

"In the event the United States shall, through purchase or requisition, acquire ownership of the vessel or vessels on which a construction-differential subsidy was paid, the owner shall be paid therefor the value thereof, but in no event shall such payment exceed the actual depreciated construction cost thereof (together with the actual depreciated cost of capital improvements thereon, but excluding the cost of national-defense features) less the depreciated amount of construction-differential subsidy theretofore paid incident to the construction or reconditioning of such vessel or vessels, or the fair and reasonable scrap value of such vessel as determined by the Commission, whichever is the greater. Such determination shall be final. In computing the depreciated value of such vessel, depreciation shall be computed on each vessel on the schedule adopted by the Bureau of Internal Revenue for income-tax purposes.

"The foregoing provision respecting the requisition or the acquisition of ownership by the United States shall run with the title to such vessel or vessels and be binding on all owners thereof."

SEC. 3. That section 902 of the Merchant Marine Act, 1936, as amended (49 Stat. 2015; U. S. C., 1934 edition, Supp. IV, title 46, sec. 1242), is amended to read as follows:

"SEC. 902. (a) Whenever the President shall proclaim that the security of the national defense makes it advisable or during any national emergency declared by proclamation of the President, it shall be lawful for the Commission to requisition or purchase any vessel or other watercraft owned by citizens of the United States, or under construction within the United States, or for any period during such emergency, to requisition or charter the use of any such property. The termination of any emergency so declared shall be announced by a further proclamation by the President. When any such property or the use thereof is so requisitioned, the owner thereof shall be paid just compensation for the property taken or for the use of such property, but in no case shall the value of the property taken or used be deemed enhanced by the causes necessitating the taking or use. If any property is taken and used under authority of this section, but the ownership thereof is not required by the United States, such property shall be restored to the owner in a condition at least as good as when taken, less ordinary wear and tear, or the owner shall be paid an amount for reconditioning sufficient to place the property in such condition. The owner shall not be paid for any consequential damages arising from a taking or use of property under authority of this section.

"(b) When any vessel is taken or used under authority of this section, upon which vessel a construction-differential subsidy has been allowed and paid, the value of the vessel at the time of its taking shall be determined as provided in section 802 of this Act, and in determining the value of any vessel taken or used, on which a construction-differential subsidy has not been paid, the value of any national defense features previously paid for by the United States shall be excluded.

"(c) If any property is taken and used under authority of this section, but the ownership thereof is not required by the United States, the Commission, at the time of the taking or as soon thereafter as the exigencies of the situation may permit, shall transmit to the person entitled to the possession of such property a charter setting forth the terms which, in the Commission's judgment, should govern the relations between the United States and such person and a statement of the rate of hire which, in the Commission's judgment, will be just compensation for the use of such property and for the services required under the terms of such charter. If such person does not execute and deliver such charter and accept such rate of hire, the Commission shall pay to such person on account of just compensation a sum equal to 75 per centum of such rate of hire as the same may from time to time be due under the terms of the charter so tendered, and such person shall be entitled to sue the United States to recover such further sum as added to such 75 per centum will make up such amount as will be just compensation for the use of the property and for the services required in connection with such use. In the event of loss or damage to such property, due to operation of a risk assumed by the United States under the terms of a charter prescribed in this subsection, but no valuation of such vessel or other property or mode of compensation has been agreed to, the United States shall pay just compensation for such loss or damage, to the extent the person entitled thereto is not reimbursed therefor through policies of insurance against such loss or damage.

Title.

49 Stat. 2015.  
46 U. S. C., Supp.  
IV, § 1242.

Requisition, etc., of  
vessels by Commis-  
sion during national  
emergency.

Vessels under con-  
struction included.

Termination of  
emergency.  
Payment.

Property taken and  
used but not required;  
restoration to owner,  
etc.

Determination of  
value of vessel taken  
on which construction-  
differential subsidy  
has been paid.

Provision where  
subsidy has not been  
paid.

Property taken and  
used but ownership  
not required by U. S.

Rate of hire.

Suit, etc., if amount  
unsatisfactory.

Payment for loss or  
damage due to Gov-  
ernment operation.



Prompt payment as soon as just compensation determined.

Payment of 75 per cent of amount determined; suit for further sum if amount unsatisfactory.

28 U. S. C. §§ 41 (20), 250.

Repair, reconstruction, etc., of acquired property.

Property transfers.

49 Stat. 1987.  
46 U. S. C., Supp. IV, § 1116.

"(d) In all cases, the just compensation authorized by this section shall be determined and paid by the Commission as soon as practicable, but if the amount of just compensation determined by the Commission is unsatisfactory to the person entitled thereto, such person shall be paid 75 per centum of the amount so determined and shall be entitled to sue the United States to recover such further sum as, added to said 75 per centum will make up such amount as will be just compensation therefor, in the manner provided for by section 24, paragraph 20, and section 145 of the Judicial Code (U. S. C., 1934 edition, title 28, secs. 41, 250).

"(e) The Commission is authorized to repair, recondition, reconstruct, and operate, or charter for operation, any property acquired under authority of this section. The Commission is further authorized to transfer the possession or control of any such property to any department or agency of the Government of the United States upon such terms and conditions as may be approved by the President. In case of any such transfer the department or agency to which the transfer is made shall promptly reimburse the Commission for its expenditures on account of just compensation, purchase price, repairs, reconditioning, reconstruction, or charter hire for the property transferred. Such reimbursements shall be deposited in the construction fund established by section 206 of this Act."

Approved, August 7, 1939.

#### [CHAPTER 556]

#### AN ACT

August 7, 1939  
[H. R. 5845]  
[Public, No. 329]

To provide for the establishment of a Coast Guard station on the shore of North Carolina at or near Wrightsville Beach, New Hanover County.

Wrightsville Beach,  
New Hanover County,  
N. C.  
Establishment of  
Coast Guard station  
authorized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to establish a Coast Guard station on the shore of North Carolina, at or near Wrightsville Beach, New Hanover County, at such point as the Commandant of the Coast Guard may recommend.

Approved, August 7, 1939.

#### [CHAPTER 557]

#### AN ACT

August 7, 1939  
[H. R. 6037]  
[Public, No. 330]

To amend section 194 of an Act entitled "An Act to codify, revise, and amend the penal laws of the United States", approved March 4, 1909 (35 Stat. L. 1088).

Criminal Code,  
amendment.  
35 Stat. 1125.  
18 U. S. C. § 317;  
Supp. IV, § 317.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 194 of the Act to codify, revise, and amend the penal laws of the United States, approved March 4, 1909, as amended (U. S. C., 1934 edition, title 18, sec. 317), be amended to read as follows:

Stealing, secreting,  
embezzling, etc., mail  
matter.

"Sec. 194. Whoever shall steal, take, or abstract, or by fraud or deception obtain, or attempt so to obtain, from or out of any mail, post office, or station thereof, or other authorized depository for mail matter, or from a letter or mail carrier, any letter, postal card, package, bag, or mail, or shall abstract or remove from any such letter, package, bag, or mail, any article or thing contained therein, or shall secrete, embezzle, or destroy any such letter, postal card, package, bag, or mail, or any article or thing contained therein; or whoever shall steal, take, or abstract, or by fraud or deception obtain any letter, postal card, package, bag, or mail, which has been left for collection upon or adjacent to a collection box or other authorized

Mail left upon col-  
lection box, etc.

depository of mail matter; or whoever shall buy, receive, or conceal, or aid in buying, receiving, or concealing, or shall unlawfully have in his possession, any letter, postal card, package, bag, or mail, or any article or thing contained therein, which has been so stolen, taken, embezzled, or abstracted, as herein described, knowing the same to have been stolen, taken, embezzled, or abstracted; or whoever shall take any letter, postal card, or package out of any post office or station thereof, or out of any authorized depository for mail matter, or from any letter or mail carrier, or which has been in any post office or station thereof, or other authorized depository, or in the custody of any letter or mail carrier, before it has been delivered to the person to whom it was directed, with a design to obstruct the correspondence, or to pry into the business or secrets of another, or shall open, secrete, embezzle, or destroy the same, shall be fined not more than \$2,000 or imprisoned not more than five years, or both."

Approved, August 7, 1939.

Receiving property stolen, etc., from the mails.

Unauthorized taking of mail before delivery.

Penalty.

#### [CHAPTER 558]

##### AN ACT

To exempt certain motorboats from the operation of sections 4 and 6 of the Motor Boat Act of June 9, 1910, and from certain other Acts of Congress, and to provide that certain motorboats shall not be required to carry on board copies of the pilot rules.

August 7, 1939  
[H. R. 6273]

[Public, No. 331]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That sections 4 and 6 of the Act of June 9, 1910 (U. S. C., 1934 edition, title 46, secs. 514 and 516), shall not apply to motorboats propelled by outboard motors while competing in any race previously arranged and announced, or if such boats be designed and intended solely for racing, while engaged in such navigation as is incidental to the tuning up of the boats and engines for the race.

SEC. 2. Motorboats as defined by section 1 of the Act of June 9, 1910 (U. S. C., 1934 edition, title 46, sec. 511), the Act of June 7, 1897 (U. S. C., 1934 edition, title 33, ch. 3), the Act of February 8, 1895 (U. S. C., 1934 edition, title 33, ch. 4), and by section 4412 of the Revised Statutes (U. S. C., 1934 edition, title 33, ch. 5) shall not be required to carry on board copies of the pilot rules.

Approved, August 7, 1939.

Outboard racing motorboats.  
36 Stat. 463.

46 U. S. C. §§ 514, 516.

Exemption from certain requirements while competing in prearranged race.

Motorboats as defined in specified Acts not required to carry on board copies of pilot rules.

36 Stat. 462; 30 Stat. 96; 28 Stat. 645.

R. S. § 4412.

46 U. S. C. §§ 511, 514; 33 U. S. C. chs. 3, 4, 5.

#### [CHAPTER 559]

##### AN ACT

Authorizing the county of Saint Louis, State of Missouri, to construct, maintain, and operate a toll bridge across the Mississippi River near Jefferson Barracks, Missouri.

August 7, 1939  
[H. R. 6441]

[Public, No. 332]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That in order to promote interstate commerce, improve the postal service, and provide for military and other purposes, the county of Saint Louis, State of Missouri, be, and is hereby, authorized to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River, at a point suitable to the interests of navigation, near Jefferson Barracks, Missouri, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act: *Provided*, That permission for such bridge or any approaches to said bridge will not include the right to encroach upon or cross the Government reservation of Jefferson Barracks, Missouri.

Mississippi River. Bridge authorized across, at Jefferson Barracks, Mo.

34 Stat. 84.  
33 U. S. C. §§ 491-498.

*Proviso.*  
Reservation.

Right to acquire  
real estate, etc.

SEC. 2. There is hereby conferred upon the county of Saint Louis, State of Missouri, all such rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use real estate and other property needed for the location, construction, maintenance, and operation of such bridge and its approaches, as are possessed by railroad corporations for railroad purposes or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor, to be ascertained and paid according to the laws of such State, and the proceedings therefor shall be the same as in the condemnation or expropriation of property for public purposes in such State.

Toll charges.

SEC. 3. The said county of Saint Louis, State of Missouri, is hereby authorized to fix and charge tolls for transit over such bridge, and the rates of toll so fixed shall be the legal rates until changed by the Secretary of War under the authority contained in the Act of March 23, 1906.

Application of tolls  
to operation, sinking  
fund, etc.

SEC. 4. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of such bridge and its approaches, including reasonable interest and financing cost, as soon as possible, under reasonable charges, but within a period of not to exceed twenty-five years from the completion thereof. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls. An accurate record of the cost of the bridge, and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

Maintenance as free  
bridge after amortiz-  
ing costs.

Record of expendi-  
tures and receipts.

Extension of Fed-  
eral aid.

39 Stat. 355; 42 Stat.  
212.  
23 U. S. C., chs. 1, 2;  
Supp. IV, chs. 1, 2.

SEC. 5. Notwithstanding any restrictions or limitations imposed by the Act entitled "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes", approved July 11, 1916, or by the Federal Highway Act, or by an Act amendatory of, or supplemental to either thereof, the Administrator of the Federal Works Agency or any other Federal department or agency of the United States Government may extend Federal aid under such Acts for the construction of said bridge out of any money allocated to the State of Missouri with the consent of the State Highway Commission of said State.

Amendment.

SEC. 6. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 7, 1939.

#### [CHAPTER 560]

#### AN ACT

August 7, 1939

[H. R. 6476]

[Public, No. 333]

To authorize the city of Duluth, in the State of Minnesota, to construct a toll bridge across the Saint Louis River, between the States of Minnesota and Wisconsin, and for other purposes.

Saint Louis River.  
Acquisition, etc., of  
certain bridges across,  
by Duluth, Minn.,  
authorized.

Determination of  
value.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to the city of Duluth, in the State of Minnesota, to acquire and thereafter operate and maintain either or both of the existing vehicular-toll bridges across the Saint Louis River, between Saint Louis County in the State of Minnesota and Douglas County in the State of Wisconsin, and should said city be unable, after negotiation, to agree with the owners of the respective bridges upon a mutually satisfactory purchase price, then said city

is hereby authorized to require the transfer of such bridge or bridges to said city upon payment of the price or prices computed according to the provisions for public acquisition of the bridges by the respective Acts of Congress which authorized the original construction of such bridges.

SEC. 2. In order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, said city of Duluth is authorized to construct, maintain, and operate an additional vehicular-toll bridge and approaches across the Saint Louis River, at a point suitable to the interests of navigation from Saint Louis County in the State of Minnesota to Douglas County in the State of Wisconsin, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act. There is hereby conferred upon said city all rights and powers to enter upon lands and to acquire, condemn, occupy, possess, and use such real estate and other property as may be needed for the location, construction, operation, and maintenance of such bridge or bridges and approaches thereto as are possessed by railroad corporations for railroad purposes, or by bridge corporations for bridge purposes in the State in which such real estate or other property is situated, upon making just compensation therefor to be ascertained and paid according to the laws of the State in which such property may be located, and the proceedings therefor shall be the same as in condemnation or expropriation of property for public purposes in such State.

SEC. 3. Said city of Duluth is hereby authorized to fix and charge tolls for transit over any bridge or bridges acquired or constructed under the provisions of this Act, and the rates of toll so fixed shall be such as will pay costs of operation and maintenance and amortize the cost, within the period provided herein, of such bridge or bridges as evidenced by an issue or issues of bonds to pay the cost of such bridge or bridges, which bonds may be so issued subject to and in accordance with the pertinent laws of the State of Minnesota. All such bonds shall be in a form not inconsistent with this Act, and shall mature at such time or times as the city may determine, not exceeding twenty years from the date of approval of this Act. The city, when it deems it to be in the best interests of the city, may issue refunding bonds to repurchase and redeem any outstanding bonds before the maturity thereof: *Provided*, That the refunding bonds shall mature at such time or times not exceeding thirty years from the date of approval of this Act, as the city may determine. An accurate record of the cost of any bridge or bridges and their approaches acquired or constructed, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

SEC. 4. After payment of the bonds and interest, or after a sinking fund sufficient for such payment shall have been provided and shall be held for that purpose, the city shall deliver deeds or other suitable instruments of conveyance of the interest of the city in and to the bridge or bridges extending between the State of Minnesota and the State of Wisconsin, that part of said bridge or bridges within Minnesota to the State of Minnesota or any municipality or agency thereof as may be authorized by or pursuant to law to accept the same (hereafter referred to as the "Minnesota interests"), and that part of said bridge or bridges within Wisconsin, to the State of Wisconsin, or any municipality or agency thereof as may be authorized by or pursuant to law to accept the same (hereafter referred to as the "Wisconsin

28 Stat. 64; 43 Stat. 1095.

Construction of additional bridge authorized.

34 Stat. 84.  
33 U. S. C. §§ 491-498.  
Right to acquire real estate, etc.

Toll charges.

Bond issues.

Issuance of refunding bonds.

*Proriso.*  
Maturity.

Record of expenditures and receipts.

Conveyancing, etc., provisions.

Toll rate restriction.

Provisions appli-  
cable to Superior, Wis.

Amendment.

interests"), under the condition that the bridge or bridges shall thereafter be free of tolls and be properly maintained, operated, and repaired by the Minnesota interests and the Wisconsin interests as may be agreed upon; but if the Minnesota interests and the Wisconsin interests fail to accept or are not authorized to accept, their respective portion of said bridge or bridges, then the city may deliver deeds, or other suitable instruments of conveyance of said portions, to any other interest which may accept and may be authorized to accept the same, under the condition that the bridge or bridges shall thereafter be free of toll and be properly maintained, operated and repaired by said interest to whom said conveyances are delivered; but if either the Minnesota interests, or the Wisconsin interests, or any other interest hereinabove mentioned shall not be authorized to accept or shall not accept the same under such conditions, then the bridge or bridges shall continue to be owned, by the city of Duluth, and shall be maintained, operated, and repaired by the city of Duluth and the city of Superior as a free bridge. The rate or rates of toll for any bridge now or hereafter constructed across the Saint Louis River, between Saint Louis County in Minnesota and Douglas County in Wisconsin, shall not be reduced below the rate or rates now in effect so long as any bonds of said city of Duluth issued for account of any bridge or bridges acquired or constructed under the provisions of this Act may be outstanding, subject, however, to the provisions regulating toll contained in the Act of March 23, 1906.

SEC. 5. The city of Superior, Douglas County, State of Wisconsin, shall share equally with said city of Duluth in the consideration and determination of all questions with respect to the exercise by the city of Duluth of all the rights, powers, and privileges conferred upon the city of Duluth by the provisions of this Act, and none of the rights, powers, and privileges herein conferred shall be exercised by said city of Duluth without the consent and approval of the city of Superior as expressed by resolution of the city council of said city of Superior.

SEC. 6. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 7, 1939.

## [CHAPTER 561]

## AN ACT

Amending section 2857 of the Internal Revenue Code.

August 7, 1939  
[H. R. 6479]  
[Public, No. 334]

Internal Revenue  
Code, amendment.  
*Ante*, p. 327.

Record require-  
ments.

*Proviso.*  
Place of keeping  
record.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the first paragraph of section 2857 (a) of the Internal Revenue Code be amended to read as follows:

**"SEC. 2857. BOOKS OF RECTIFIERS AND WHOLESALE DEALERS.**

"(a) **REQUIREMENTS.**—Every rectifier and every wholesale liquor dealer who sells, or offers for sale, distilled spirits in quantities of five wine-gallons or more to the same person at the same time shall keep daily, at his place of business covered by his special tax stamp, a record of distilled spirits received and disposed of by him, and shall render under oath correct transcripts and summaries of such records: *Provided*, That the Commissioner may in his discretion require such record to be kept at the place where the spirits are actually received and sent out. The records shall be kept and the transcripts shall be rendered in such form, and under such rules and regulations as the Commissioner, with the approval of the Secretary, may prescribe."

Approved, August 7, 1939.

## [CHAPTER 562]

## AN ACT

To amend the Agricultural Adjustment Act of 1938.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That subsection (b) of section 312 of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out the period at the end of the last sentence and inserting in lieu thereof a comma and the following: "nor for any marketing year for which a marketing quota was proclaimed pursuant to the provisions of subsection (a) of this section."

Approved, August 7, 1939.

August 7, 1939  
[H. R. 6538]  
[Public, No. 335]

Agricultural Ad-  
justment Act of 1938,  
amendment.  
52 Stat. 46.  
7 U. S. C., Supp.  
IV, § 1312 (b).  
Marketing quotas  
for burley, etc., to-  
bacco.

## [CHAPTER 563]

## AN ACT

To amend the Agricultural Adjustment Act of 1938.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That subsection (a) of section 312 of the Agricultural Adjustment Act of 1938, as amended, is amended, by striking out the expression "on the fifteenth day of November of any calendar year" and the commas immediately preceding and following said expression; and by adding at the end thereof the following new sentence: "The amount of the national marketing quota so proclaimed may, not later than December 31, be increased by not more than 10 per centum if the Secretary determines that such increase is necessary in order to meet market demands."

Approved, August 7, 1939.

August 7, 1939  
[H. R. 6539]  
[Public, No. 336]

Agricultural Ad-  
justment Act of 1938,  
amendment.  
52 Stat. 46.  
7 U. S. C., Supp. IV,  
§ 1312 (a).  
Proclamation of to-  
bacco marketing quo-  
ta, when made.  
Increase of quota  
after proclamation.

## [CHAPTER 564]

## AN ACT

To amend the Agricultural Adjustment Act of 1938.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 313 of the Agricultural Adjustment Act of 1938, as amended, is amended by addition of the following new subsection:

"(g) Notwithstanding any other provision of this section, the Secretary on the basis of average yield per acre of tobacco for the State during the five years last preceding the year in which the national marketing quota is proclaimed, adjusted for abnormal conditions of production, may convert the State marketing quota into a State acreage allotment, and allot the same through the local committees among farms on the basis of the factors set forth in subsection (b), using past acreage (harvested and diverted) in lieu of the past marketing of tobacco; and the Secretary on the basis of the national average yield during the same period, similarly adjusted, may also convert into an acreage allotment the amount reserved from the national quota pursuant to the provisions of subsection (c), and on the basis of the factors set forth in subsection (c) and the past tobacco experience of the farm operator, allot the same through the local committees among farms on which no tobacco was produced during the last five years. Except for farms last mentioned or a farm operated, controlled, or directed by a person who also operates, controls, or directs another farm on which tobacco is produced, the farm-acreage allotment shall be increased by the smaller of (1) 20 per centum of such allotment or (2) the percentage by which the normal yield of such allotment (as determined through the local committees in accordance with regulations prescribed by the Secretary)

August 7, 1939  
[H. R. 6540]  
[Public, No. 337]

Agricultural Adjust-  
ment Act of 1938,  
amendment.  
52 Stat. 47.  
7 U. S. C., Supp. IV,  
§§ 1313 (a)-(f).  
National marketing  
quota for tobacco.  
Conversion of State  
marketing quota into  
State acreage allot-  
ment; basis.

Allotments through  
local committees;  
basis.

Conversion of  
amount reserved from  
national quota.

Farm-acreage allot-  
ment increase.

*Proviso.*  
Normal yield so  
added to acreage allot-  
ments deemed part of  
State marketing  
quota.  
Determination of  
farm marketing quota.

Marketing tobacco  
produced on a differ-  
ent farm.

Penalty for evasion.

is less than three thousand two hundred pounds, in the case of flue-cured tobacco, and two thousand four hundred pounds in the case of other kinds of tobacco: *Provided*, That the normal yield of the estimated number of acres so added to farm acreage allotments in any State shall be considered as a part of the State marketing quota in applying the proviso in subsection (a). The actual production of the acreage allotment established for a farm pursuant to this subsection shall be the amount of the farm marketing quota. If any amount of tobacco shall be marketed as having been produced on the acreage allotment for any farm which in fact was produced on a different farm, the acreage allotments next established for both such farms shall be reduced by that percentage which such amount was of the respective farm marketing quota, except that such reduction for any such farm shall not be made if the Secretary through the local committees finds that no person connected with such farm caused, aided, or acquiesced in such marketing; and if proof of the disposition of any amount of tobacco is not furnished as required by the Secretary, the acreage allotment next established for the farm on which such tobacco is produced shall be reduced by a percentage similarly computed."

Approved, August 7, 1939.

[CHAPTER 565]

AN ACT

To amend the Agricultural Adjustment Act of 1938.

August 7, 1939  
[H. R. 6541]  
[Public, No. 338]

Agricultural Adjust-  
ment Act of 1938,  
amendment.  
52 Stat. 48.  
7 U. S. C., Supp. IV,  
§ 1314.  
Tobacco.  
Penalties on market-  
ing in excess of farm  
quotas.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 314 of the Agricultural Adjustment Act of 1938, as amended, is amended by striking out the first sentence of said section and inserting in lieu thereof the following new sentence: "The marketing of any tobacco in excess of the marketing quota for the farm on which the tobacco is produced shall be subject to a penalty of 10 cents per pound in the case of flue-cured, Maryland, or Burley tobacco and 5 cents per pound in the case of all other kinds of tobacco."

Approved, August 7, 1939.

[CHAPTER 566]

AN ACT

To amend the Act of March 28, 1928 (45 Stat. 374), as amended, relating to the advance of funds in connection with the enforcement of Acts relating to narcotic drugs, so as to permit such advances in connection with the enforcement of the Marihuana Tax Act of 1937, and to permit advances of funds in connection with the enforcement of the customs laws.

Narcotic drug Acts.

August 7, 1939  
[H. R. 6556]  
[Public, No. 339]

45 Stat. 374.  
31 U. S. C. § 529a.

Advance of funds  
for enforcement of,  
authorized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act entitled "An Act to provide for advances of funds by special disbursing agents in connection with the enforcement of Acts relating to narcotic drugs", approved March 28, 1928, as amended (U. S. C., title 31, sec. 529a), is hereby amended to read as follows:

"That the Commissioner of Narcotics, with the approval of the Secretary of the Treasury, is authorized to direct the advance of funds by the Division of Disbursement, Treasury Department, in connection with the enforcement of the Act entitled 'An Act to provide for the registration of, with collectors of internal revenue, and to impose a special tax upon, all persons who produce, import, manufacture, compound, deal in, dispense, sell, distribute, or give away opium or coca leaves, their salts, derivatives, or preparations, and for

other purposes', approved December 17, 1914, as amended; the Act entitled 'An Act to amend an Act entitled "An Act to prohibit the importation and use of opium for other than medicinal purposes"', approved February 9, 1909', as amended, known as the 'Narcotic Drugs Import and Export Act'; and the Act entitled 'An Act to impose an occupational excise tax upon certain dealers in marihuana, to impose a transfer tax upon certain dealings in marihuana, and to safeguard the revenue therefrom by registry and recording', approved August 2, 1937, known as the 'Marihuana Tax Act of 1937'.

"SEC. 2. The Commissioner of Customs, with the approval of the Secretary of the Treasury, is authorized to direct the advance of funds by the Division of Disbursement, Treasury Department, in connection with the enforcement of the customs laws.

"SEC. 3. A certificate by the Commissioner of Customs or the Commissioner of Narcotics, as the case may be, stating the amount of an expenditure made from funds advanced and certifying that the confidential nature of the transaction involved renders it inadvisable to specify the details thereof or impracticable to furnish the payee's receipt shall be a sufficient voucher for the sum expressed to have been expended.

"SEC. 4. The provisions of this Act shall not affect payments made for the Bureau of Customs in foreign countries, nor the right of any customs or narcotics officer or employee to claim reimbursement for personal funds expended in connection with the enforcement of the customs or narcotics laws.

"SEC. 5. Advances pursuant to this Act in connection with the enforcement of the customs or narcotics laws may be made, notwithstanding the provisions of section 3648 of the Revised Statutes of the United States (U. S. C., title 31, sec. 529), from the appropriations available for the enforcement of such laws. The Secretary of the Treasury is authorized to prescribe such rules and regulations concerning advances made pursuant to this Act as are necessary or appropriate for the protection of the interests of the United States.

"SEC. 6. When used in this Act, the term 'narcotics laws' includes the 'Marihuana Tax Act of 1937'."

Approved, August 7, 1939.

38 Stat. 785.  
26 U. S. C. §§ 1040-1054, 1383-1391; Supp. IV, §§ 1041, 1383.

42 Stat. 596.  
21 U. S. C. §§ 171, 173-177, 180, 182, 184, 185.

50 Stat. 551.  
26 U. S. C., Supp. IV, §§ 1399-1399q.  
Commissioner of Customs to direct advances.

Confidential expenditures; certificate by designated Commissioners.

Provisions respecting foreign payments and reimbursements not affected.

Prohibition against advances waived.

R. S. § 3648.  
31 U. S. C. § 529.

Rules to be prescribed.

Term "narcotics laws" to include "Marihuana Tax Act of 1937."

## [CHAPTER 567]

### AN ACT

Granting the consent of Congress to the Dauphin County, Pennsylvania, Authority to construct, maintain, and operate a highway bridge across the Susquehanna River at or near the city of Harrisburg, Pennsylvania.

August 7, 1939  
[H. R. 6662]  
[Public, No. 340]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of Congress is hereby granted to the Dauphin County, Pennsylvania, Authority, a body corporate and politic heretofore created and existing under and by virtue of an act of the General Assembly of Pennsylvania, known as the Municipality Authorities Act of one thousand nine hundred and thirty-five, as amended, to construct, maintain, and operate a highway bridge and approaches thereto across the Susquehanna River, at a point suitable to the interests of navigation, at or near the city of Harrisburg, Pennsylvania, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

SEC. 2. If tolls are charged for the use of such bridge, the rates of toll shall be so adjusted as to provide a fund sufficient to pay the reasonable cost of maintaining, repairing, and operating the bridge

Susquehanna River.  
Bridge authorized across, at Harrisburg, Pa.

34 Stat. 84.  
33 U. S. C. §§ 491-498.

Application of tolls, if charged, to operation, sinking fund, etc.



Maintenance as free  
bridge after amortiz-  
ing costs, etc.  
Record of expendi-  
tures and receipts.

Amendment.

and its approaches under economical management, and to provide a sinking fund sufficient to amortize the cost of the bridge and its approaches, including interest at a rate not to exceed 5 per centum per annum and reasonable financing cost, as soon as possible under reasonable charges, but within a period not to exceed twenty years from the date of approval of this Act. After a sinking fund sufficient for such amortization shall have been so provided, such bridge shall thereafter be maintained and operated free of tolls. An accurate record of the costs of the bridge and its approaches, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 7, 1939.

#### [CHAPTER 568]

#### AN ACT

August 7, 1939

[H. R. 6878]

[Public, No. 341]

To amend section 4894 of the Revised Statutes (U. S. C., title 35, sec. 37).

Patents.  
Time of completing  
application.  
R. S. § 4894.  
35 U. S. C. § 37.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 4894 of the Revised Statutes (U. S. C., title 35, sec. 37) be amended by inserting after "six months", second occurrence, the words "or such shorter time, not less than thirty days or any extensions thereof, as shall be fixed by the Commissioner of Patents in writing to the applicant".

Approved, August 7, 1939.

#### [CHAPTER 569]

#### AN ACT

August 7, 1939

[H. R. 6907]

[Public, No. 342]

Granting the consent of Congress to the Commonwealth of Pennsylvania to reconstruct, maintain, and operate a free highway bridge across the Susquehanna River, from the borough of Wyoming, in the county of Luzerne, Commonwealth of Pennsylvania, to Jenkins Township, county of Luzerne, Commonwealth of Pennsylvania.

Susquehanna River.  
Reconstruction,  
etc., of bridge across,  
from borough of Wyom-  
ing to Jenkins  
Township, Luzerne  
County, Pa.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the consent of the Congress is hereby granted to the Commonwealth of Pennsylvania to reconstruct, maintain, and operate a free highway bridge and approaches thereto across the Susquehanna River, at a point suitable to the interests of navigation, from the borough of Wyoming, in the county of Luzerne, Commonwealth of Pennsylvania, to Jenkins Township in the county of Luzerne, Commonwealth of Pennsylvania, at or in prolongation of Eighth Street as the same is now established and used in the respective municipality, in accordance with the provisions of an Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 7, 1939.

34 Stat. 84.  
33 U. S. C. §§ 491-  
498.  
Amendment.

## [CHAPTER 570]

## AN ACT

Granting the consent of Congress to Frank O. Lowden, James E. Gorman, and Joseph B. Fleming, trustees of the estate of The Chicago, Rock Island and Pacific Railway Company, to construct, maintain, and operate a railroad bridge across the Missouri River at or near Randolph, Missouri.

August 7, 1939

[H. R. 7262]

[Public, No. 343]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the consent of Congress is hereby granted to Frank O. Lowden, James E. Gorman, and Joseph B. Fleming, trustees of the estate of The Chicago, Rock Island and Pacific Railway Company, their successors and assigns, to construct, maintain, and operate a railroad bridge and approaches thereto across the Missouri River, at a point suitable to the interests of navigation, at or near Randolph, Missouri, near river mile 370, as located by the Secretary of War, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, and subject to the conditions and limitations contained in this Act.

Missouri River.  
Bridge authorized  
across, at Randolph,  
Mo.

34 Stat. 84.  
33 U. S. C. §§ 491-  
498.

Rights conferred.

SEC. 2. The right to sell, assign, transfer, and mortgage, in whole or in part, the rights, powers, and privileges conferred by this Act is hereby granted to Frank O. Lowden, James E. Gorman, and Joseph B. Fleming, trustees of the estate of The Chicago, Rock Island and Pacific Railway Company, their successors and assigns, and any corporation to which, or any person to whom, such rights, powers, and privileges may be sold, assigned, or transferred, in whole or in part, or who shall acquire the same by mortgage, foreclosure, or otherwise, is hereby authorized to exercise the same as fully as though conferred herein directly upon such corporation or person.

SEC. 3. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, August 7, 1939.

## [CHAPTER 571]

## JOINT RESOLUTION

To amend Public Resolution Numbered 46, approved August 9, 1935, entitled "Joint resolution requesting the President to extend to the International Statistical Institute an invitation to hold its twenty-fourth session in the United States in 1939".

August 7, 1939

[H. J. Res. 320]

[Pub. Res., No. 44]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That Public Resolution Numbered 46, approved August 9, 1935, entitled "Joint resolution requesting the President to extend to the International Statistical Institute an invitation to hold its twenty-fourth session in the United States in 1939" be amended as follows:

International Sta-  
tistical Institute,  
twenty-fourth session.  
49 Stat. 570.

Textual amend-  
ments.

After the word "hereby" insert the words, "authorized and".

After the word "its" strike out the word "twenty-fourth" and insert the word "twenty-fifth".

After the word "year" strike out the figures "1939" and insert the following: "1940; and to invite foreign governments to be represented by delegates at that session.

Invitation to foreign  
governments.

"SEC. 2. That the sum of \$5,000, or so much thereof as may be necessary, is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, for the expenses of participation by the Government of the United States in the meeting of the International Statistical Institute to be held in the United States in 1940, including personal services in the District of Columbia and elsewhere, without regard to the civil-service laws and the Classification Act of 1923, as amended; communication services; steno-

Appropriation au-  
thorized.

Contracts author-  
ized.  
R. S. § 3709.  
41 U. S. C. § 5.

Reimbursement of  
other appropriations.

graphic, translating, and other services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (41 U. S. C. 5); travel expenses; hire of motor-propelled passenger-carrying vehicles; transportation of things; rental of necessary equipment; entertainment; and such other expenses as may be actually and necessarily incurred by the Government of the United States by reason of observance of appropriate courtesies in connection therewith under the authorization of the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified."

Approved, August 7, 1939.

#### [CHAPTER 572]

#### JOINT RESOLUTION

To dissolve the United States Supreme Court Building Commission.

August 7, 1939  
[H. J. Res. 341]  
[Pub. Res., No. 45]

U. S. Supreme  
Court Building Com-  
mission dissolved.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the United States Supreme Court Building Commission, having fully executed all the duties imposed upon it by law, accomplished the purposes for which it was created, settled all accounts, and submitted its final report to Congress, is hereby dissolved and the members of such Commission discharged from any further duties in connection with the matters heretofore committed by law to such Commission.

Disposition of rec-  
ords.

SEC. 2. All the books, papers, documents, and other records of such Commission shall be transferred to such permanent agencies of the United States, including the Supreme Court of the United States, as the Chief Justice of the United States shall deem appropriate.

Approved, August 7, 1939.

#### [CHAPTER 605]

#### AN ACT

To amend section 13 (a) of the Act approved June 25, 1938 (52 Stat. 1069), entitled "Fair Labor Standards Act of 1938".

August 9, 1939  
[S. 1234]  
[Public, No. 344]

Fair Labor Stand-  
ards Act of 1938,  
amendment.  
Switchboard oper-  
ators in certain tele-  
phone exchanges ex-  
empt from designated  
provisions.  
52 Stat. 1067.  
29 U. S. C., Supp.  
IV, § 213.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 13 (a) of the Act approved June 25, 1938 (52 Stat. 1069), entitled the "Fair Labor Standards Act of 1938", be, and the same is hereby, amended by adding a new subsection 11 as follows: "or (11) any switchboard operator employed in a public telephone exchange which has less than five hundred stations".

Approved, August 9, 1939.

#### [CHAPTER 606]

#### AN ACT

To provide for the detail of a commissioned medical officer of the Public Health Service to serve as Assistant to the Surgeon General.

August 9, 1939  
[S. 1899]  
[Public, No. 345]

Public Health Serv-  
ice.  
Commissioned med-  
ical officer, detail as  
Assistant to the Sur-  
geon General.  
Duties.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there shall be in the Public Health Service a commissioned medical officer of the Public Health Service, detailed by the Surgeon General of the Public Health Service, who shall be known as the Assistant to the Surgeon General, and who shall perform such duties as the Surgeon General may prescribe and shall act as Surgeon General during the absence or disability of the Surgeon General or in the event that there is a

vacancy in the office of the Surgeon General. The Assistant to the Surgeon General, while serving as such Assistant, shall have a rank in the Public Health Service which shall correspond to that held by a brigadier general in the United States Army, and shall be entitled to the same pay and allowances as a brigadier general in the Army.

Approved, August 9, 1939.

Rank.

Pay.

[CHAPTER 607]

AN ACT

For the relief of certain Indians of the Winnebago Agency.

August 9, 1939  
[H. R. 2971]  
[Public, No. 346]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of \$38,352.84 to the Treasurer of the United States for deposit in the official disbursing account of the Superintendent and Special Disbursing Agent of the Winnebago Indian Agency, Nebraska, to replace a deposit of individual Indian money in like amount with the State Bank of Winnebago, Nebraska, defunct: *Provided*, That any sums, not exceeding in the aggregate the amount of this appropriation, recovered from said bank or the sureties on the bonds thereof, shall be deposited into the general fund of the Treasury.

Winnebago Indian  
Agency, Nebr.  
Payment to.

*Provido.*  
Deposit of sums re-  
covered.

Approved, August 9, 1939.

[CHAPTER 608]

AN ACT

Creating the Louisiana-Vicksburg Bridge Commission; defining the authority, power, and duties of said Commission; and authorizing said Commission and its successors and assigns to purchase, maintain, and operate a bridge across the Mississippi River at or near Delta Point, Louisiana, and Vicksburg, Mississippi.

August 9, 1939  
[H. R. 3224]  
[Public, No. 347]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the Louisiana-Vicksburg Bridge Commission (hereinafter created, and hereinafter referred to as the "Commission") and its successors and assigns be, and is hereby, authorized to acquire by purchase or otherwise, from its owners, and to maintain and operate a bridge and approaches thereto across the Mississippi River at or near the cities of Delta Point, Louisiana, and Vicksburg, Mississippi, subject to the conditions and limitations contained in this Act. Whenever, and for the time only, that said bridge is not in operative condition by reason of accident, damage, repair, or other causes beyond the control of said Commission, said Commission and its successors and assigns are hereby authorized to maintain and operate a ferry, or ferries, across the Mississippi River at or within fifteen miles of said bridge, subject to the conditions and limitations contained in this Act: *Provided*, That the acquisition and operation of a ferry or ferries shall only be in the event that the condition of said bridge is such that it cannot be used and as soon as repaired or again usable no ferry or ferries shall be operated: *Provided further*, That no permission shall be given for the operation of a ferry or ferries within fifteen miles of said bridge without the direct repeal of this section of the Act.

Mississippi River.  
Acquisition, etc., of  
bridge across, at Delta  
Point, La., and Vicks-  
burg, Miss., author-  
ized.

Operation of ferries  
permitted only during  
emergencies.

*Provisos.*  
Conditions imposed.

Operation of ferries  
in vicinity not per-  
mitted.

Acquisition, etc., of  
bridge, real estate, and  
other property.

SEC. 2. There is hereby conferred upon the Commission and its successors and assigns the right and power to acquire, condemn, occupy, possess, and use said bridge and such real estate and other property in the State of Louisiana and the State of Mississippi as

may be needed for the acquisition and maintenance of such bridge and its approaches, and, if by condemnation, upon making just compensation therefor, to be ascertained and paid according to the laws of the State in which such real estate or property is located, and the proceedings therefor shall be the same as in the condemnation of private property for public purposes in said States, respectively.

Tolls allowed.

SEC. 3. The Commission and its successors and assigns are hereby authorized to fix and charge tolls for transit over such bridge and such ferry or ferries in accordance with the provisions of this Act.

Bond issue to cover costs.

SEC. 4. The Commission and its successors and assigns are hereby authorized to provide for the payment of the cost of the bridge and its approaches (including any approach highways which, in the judgment of the Commission, it is necessary or advisable to construct or cause to be constructed to provide suitable and adequate connection with existing improved highways) and the ferry or ferries and the necessary land, easements, and appurtenances thereto by an issue or issues of negotiable bonds of the Commission, bearing interest at not more than  $4\frac{1}{2}$  per centum per annum, the principal and interest of which bonds and any premium to be paid for retirement thereof before maturity shall be payable solely from the sinking fund provided in accordance with this Act. Such bonds may be registrable as to principal alone or both principal and interest, shall be in such form not inconsistent with this Act, shall mature at such time or times not exceeding twenty years from their respective dates, shall be in such denominations, shall be executed in such manner, and shall be payable in such medium and at such place or places as the Commission may determine. The Commission may repurchase and may reserve the right to redeem all or any of said bonds before maturity in such manner and at such price or prices, not exceeding one hundred and two and accrued interest, as may be fixed by the Commission prior to the issuance of the bonds. The Commission, when it deems it to the best interest of the Commission, may issue refunding bonds to repurchase and redeem any outstanding bonds, before the maturity thereof, which it may issue: *Provided*, That the refunding bonds shall mature at such time or times, not exceeding thirty years from date of approval of this Act, as the Commission may determine. The Commission may enter into an agreement with any bank or bond or trust company in the United States as trustee having the power to make such agreement, setting forth the duties of the Commission in respect of the maintenance, operation, repair, and insurance of the bridge and/or the ferry or ferries, the conservation and application of all funds, the safeguarding of money on hand or on deposit, and the rights and remedies of said trustee and the holders of the bonds, restricting the individual right of action of the bondholders as is customary in trust agreements respecting bonds of corporations. Such trust agreement may contain such provisions for protecting and enforcing the rights and remedies of the trustee and the bondholders as may be reasonable and proper and not inconsistent with the law and also provisions for approval by the original purchasers of the bonds of the employment of consulting engineers and of the security for said bonds and by any bank or trust company in which the proceeds of bonds or of bridge or ferry tolls or other moneys of the Commission shall be deposited.

Form, maturity, etc., of bonds.

Repurchase, redemption, etc.

Issuance of refunding bonds.

*Proviso.*  
Refunding bonds, maturity.

Trust agreement, financing, etc.

Provisions respecting rights and remedies of trustee and bondholders.

Employment of consulting engineers.  
Security for bonds.

Bond sale; price limitation.

Said bonds shall be sold in such manner and at such time or times and at such price as the Commission may determine, but no such sale shall be made at a price so low as to require the payment of more than  $4\frac{1}{2}$  per centum interest on the money received therefor, computed with relation to the absolute maturity of the bonds in accord-

ance with standard tables of bond values, and the face amount thereof shall be so calculated as to produce, at the price of their sale, the cost of the bridge and its approaches and the land, easements, and appurtenances used in connection therewith, and, in the event the ferry or ferries are to be acquired, also the cost of such ferry or ferries and the lands, easements, and appurtenances used in connection therewith. The cost of the bridge and approaches and approach highways, and ferry or ferries, shall be deemed to include all engineering, legal, architectural, traffic-surveying, and other expenses incident to the acquisition of the bridge or the acquisition of the ferry or ferries, and the acquisition of the necessary property, and incident to the financing thereof subject to the limitation as is provided in section 13. If the proceeds of the bonds issued shall exceed the cost as finally determined, the excess shall be placed in the sinking fund hereinafter provided. Prior to the preparation of definitive bonds the Commission may, under like restrictions, issue temporary bonds or interim certificates with or without coupons of any denomination whatsoever, exchangeable for definitive bonds when such bonds that have been executed are available for delivery.

SEC. 5. In fixing the rates of toll to be charged for the use of such bridge the same shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintaining, repairing, and operating the bridge and its approaches under economical management, and to provide a sinking fund sufficient to pay the principal and interest of such bonds as the same shall fall due and the redemption or repurchase price of all or any thereof redeemed or repurchased before maturity as herein provided. All tolls and other revenues from said bridge are hereby pledged to such uses and to the application thereof as hereinafter in this section required. After payment or provision for payment therefrom of all such cost of maintaining, repairing, and operating and the reservation of an amount of money estimated to be sufficient for the same purpose during an ensuing period of not more than six months, the remainder of tolls collected shall be placed in the sinking fund, at intervals to be determined by the Commission prior to the issuance of the bonds. An accurate record of the cost of the bridge and its approaches; the expenditures for maintaining, repairing, and operating the same; and of the daily tolls collected, shall be kept and shall be available for the information of all persons interested. The Commission shall classify in a reasonable way all traffic over the bridge, so that the tolls shall be so fixed and adjusted by it as to be uniform in the application thereof to all traffic falling within any such reasonable class, regardless of the status or character of any person, firm, or corporation participating in such traffic, and shall prevent all use of such bridge for traffic except upon payment of the tolls so fixed and adjusted.

SEC. 6. Nothing herein contained shall require the Commission or its successors to maintain or operate any ferry or ferries purchased hereunder, but in the discretion of the Commission or its successors any ferry or ferries so purchased, with the appurtenances and property thereto connected and belonging, may be sold or otherwise disposed of or may be abandoned and/or dismantled whenever in the judgment of the Commission or its successors it may seem expedient so to do. The Commission and its successors may fix such rates of toll for the use of such ferry or ferries as it may deem proper, subject to the same conditions as are hereinabove required as to tolls for traffic over the bridge. All tolls collected for the use of the ferry or ferries and the proceeds of any sale or disposition of any ferry or ferries shall be used, so far as may be necessary, to pay the cost of maintaining, repairing, and operating the same, and any residue

Items included in costs.

Surplus placed in sinking fund.

Temporary bond issue.

Tolls to be applied to operation, sinking fund, etc.

Record of expenditures and receipts.

Traffic classification.

Commission not required to operate acquired ferry.

Ferry tolls; use of.

Record of expenditures and receipts.

Conveyance of Commission's interest to Louisiana, Mississippi, etc.

Conditions.

Disposition of ferries.

Free toll not to apply to railroad using bridge.

Louisiana - Vicksburg Bridge Commission created; powers.

Membership of Commission.

thereof shall be paid into the sinking fund hereinabove provided for bonds. An accurate record of the cost of purchasing the ferry or ferries, the expenditures for maintaining, repairing, and operating the same, and of the daily tolls collected shall be kept and shall be available for the information of all persons interested.

SEC. 7. After payment of the bonds and interest, or after a sinking fund sufficient for such payment shall have been provided and shall be held for that purpose, the Commission shall deliver deeds or other suitable instruments of conveyance of the interest of the Commission in and to the bridge, that part within Louisiana to the State of Louisiana or any municipality or agency thereof as may be authorized by or pursuant to law to accept the same (hereinafter referred to as the Louisiana interest) and that part within Mississippi to the State of Mississippi or any municipality or agency thereof as may be authorized by or pursuant to law to accept the same (hereinafter referred to as the Mississippi interest) under the condition that the bridge shall thereafter be free of tolls (except the railroad portion of said bridge and except as otherwise herein provided) and be properly maintained, operated, and repaired by the Louisiana interest and the Mississippi interest as may be agreed upon; but if either the Louisiana interest or the Mississippi interest shall not be authorized to accept or shall not accept the same under such conditions, then the bridge shall continue to be owned, maintained, operated, and repaired by the Commission as a free bridge until such time as both the Louisiana interest and the Mississippi interest shall be authorized to accept and shall accept such conveyance under such conditions. After the conveyance by the Commission to the Louisiana interest and Mississippi interest, the said interests may collect from the railroad or railroads using the bridge reasonable tolls, either under the then existing contract between the Commission and the railroad or railroads, or a new contract to be made by the Mississippi interest and Louisiana interest with the said railroad or railroads. If at the time of such conveyance the Commission or its successors shall not have disposed of such ferry or ferries, the same shall be disposed of by sale as soon as practicable, at such price and upon such terms as the Commission or its successors may determine. Free toll provisions of this Act shall not apply to railroad or railroads using bridge.

SEC. 8. For the purpose of carrying into effect the objects stated in this Act, there is hereby created the Louisiana-Vicksburg Bridge Commission, and by that name, style, and title said body shall have perpetual succession; may contract and be contracted with, sue and be sued, implead and be impleaded, complain and defend in all courts of law and equity; may make and have a common seal; may purchase or otherwise acquire and hold or dispose of real estate and other property only insofar as it is essential and necessary in the operation of the bridge; may accept and receive donations or gifts of money or other property and apply the same to the purpose of this Act; and shall have and possess all powers necessary, convenient, or proper for carrying into effect the objects stated in this Act.

The Commission shall consist of three persons, one of whom shall be appointed by the Governor of Louisiana from the congressional district in the State of Louisiana wherein is located the west approach to said bridge, one of whom shall be appointed by the Governor of Mississippi from the congressional district in the State of Mississippi wherein is located the east approach to said bridge, and one of whom shall be appointed by the Commissioner of Public Roads. Such Commission shall be a body corporate and politic. Each member of the Commission shall qualify within thirty days after the approval of this Act by filing in the office of the Commis-

sioner of Public Roads an oath that he will faithfully perform the duties imposed upon him by this Act, and each person appointed to fill a vacancy shall qualify in like manner within thirty days after his appointment. Any vacancy occurring in said Commission by reason of failure to qualify as above provided, or by reason of death or resignation, shall be filled by the Governor of the State from which the said Commissioner was appointed, and/or by the Commissioner of Public Roads as herein provided. Before the issuance of bonds as hereinabove provided, each member of the Commission shall give such bond as may be fixed by the Chief of the Bureau of Public Roads of the Federal Works Agency, conditioned upon the faithful performance of all duties acquired by this Act. The Commission shall elect a chairman and a vice chairman from its members, and may establish rules and regulations for the government of its own business. A majority of the members shall constitute a quorum for the transaction of business.

SEC. 9. The Commission shall have no capital stock or shares of interest or participation, and all revenue and receipts thereof shall be applied to the purposes specified in this Act. The members of the Commission shall be entitled to a per diem compensation for their services of \$20 per day for each day actually spent in the business of the Commission, but the maximum compensation in any year of each member shall not exceed \$1,200. The members of the Commission shall also be entitled to receive traveling expense allowance of 10 cents a mile for each mile actually traveled on the business of the Commission. The Commission may employ a secretary, treasurer, engineers, attorneys, and other such experts, assistants, and employees as they may deem necessary, who shall be entitled to receive such compensation as the Commission may determine: *Provided*, They are absolutely necessary in the carrying out of the purpose of this Act in the acquisition and management of said bridge. All salaries and expenses shall be paid solely from the funds provided under the authority of this Act. After all bonds and interest thereon shall have been paid and all other obligations of the Commission paid or discharged, or provision for all such payment shall have been made as hereinbefore provided, and after the bridge shall have been conveyed to the Louisiana interest and the Mississippi interest as herein provided, and any ferry or ferries shall have been sold, the Commission shall be dissolved and shall cease to have further existence by an order of the Chief of the Bureau of Public Roads made upon his own initiative or upon application of the Commission or any member or members thereof, but only after public hearings in the cities of Delta, Louisiana, and Vicksburg, Mississippi, notice of the time and place of which hearings and purpose thereof shall have been published once, at least thirty days before the date thereof, in a newspaper published in the city of Vicksburg. At the time of such dissolution all moneys in the hands of or to the credit of the Commission shall be divided into two equal parts, one of which shall be paid to said Louisiana interests and the other to said Mississippi interests.

SEC. 10. Notwithstanding any of the provisions of this Act, the Commission shall have full power and authority to negotiate and enter into a contract or contracts with the Louisiana State Highway Department and the State Highway Department of Mississippi whereby said highway departments or either of them may operate, and maintain or participate with the Commission in the operation and maintenance of said bridge and approaches.

SEC. 11. Nothing herein contained shall be construed to authorize or permit the Commission or any member thereof to create any obligation or incur any liability other than such obligations and liabilities

Vacancies.

Bond.

Corporate powers,  
etc.Commission, restriction  
on capital stock,  
etc.Compensation, allowance,  
etc.Secretary, and other  
employees.*Proviso.*  
Necessity required.Funds for payment  
of salaries, etc.

Dissolution of Commission.

Division of moneys  
in hand.Contracts with  
States for operation  
and maintenance.Creation of other  
obligations.



as are dischargeable solely from funds provided by this Act. No obligation created or liability incurred pursuant to this Act shall be an obligation or liability of any member or members of the Commission, but shall be chargeable solely to the funds herein provided, nor shall any indebtedness created pursuant to this Act be an indebtedness of the United States.

Enforcement provisions.

SEC. 12. All provisions of this Act may be enforced or the violation thereof prevented by mandamus, injunction, or other appropriate remedy brought by the attorney general for the State of Louisiana, the attorney general for the State of Mississippi, or the United States district attorney for any district in which the bridge may be located in part, in any court having competent jurisdiction of the subject matter and of the parties.

Cost of acquisition, limitations.

SEC. 13. The cost of acquisition of said bridge by said Commission shall not include good will, going value, or prospective revenues or profits, but shall be limited to the sum of (1) the actual cost of construction, less a reasonable deduction for actual depreciation in value; (2) the actual cost of acquiring interests in the necessary real property; (3) actual financing and promotion costs, not to exceed 2 per centum of the cost of construction of such a bridge and its approaches and acquiring such interests in the necessary real property; and (4) actual expenditures for necessary improvements.

Maintenance, etc.

SEC. 14. The maintenance and operation of said bridge shall be in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906.

34 Stat. 84.  
33 U. S. C. §§ 491-498.  
Amendment.

SEC. 15. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Approved, August 9, 1939.

#### [CHAPTER 609]

#### AN ACT

August 9, 1939  
[H. R. 3795]  
[Public, No. 348]

To provide a right-of-way through the Chilkoot Barracks Military Reservation, Alaska.

Chilkoot Barracks  
Military Reservation,  
Alaska.

Right-of-way to install pipe lines; terms, conditions, etc.

Provides.  
Availability for  
Government use.

Federal rights reserved.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of War be, and he is hereby, authorized to grant, for such term or terms and subject to such conditions as he deems advisable, a right-of-way to Erik Oslund, his successors and assigns, to install and maintain one each gasoline and fuel-oil pipe lines on the Chilkoot Barracks Military Reservation, Alaska, with intake valves on the Government wharf: *Provided*, That valves and connections shall be installed by the grantee, which, including said pipe lines, shall be available for the use of the Government without cost to divert gasoline and fuel oil into Government storage tanks: *Provided further*, That all or any part of such right-of-way may be annulled and forfeited by the Secretary of War if the property is needed for Governmental purposes or for failure to comply with the terms or conditions of any grant hereunder, or for nonuse or for abandonment of rights under the authority hereof.

Approved, August 9, 1939.

## [CHAPTER 610]

## AN ACT

To amend the naturalization laws in relation to an alien previously lawfully admitted into the United States for permanent residence and who is temporarily absent from the United States solely in his or her capacity as a regularly ordained clergyman or representative of a recognized religious denomination or religious organization existing in the United States.

August 9, 1939  
[H. R. 4100]  
[Public, No. 349]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any alien who has been lawfully admitted into the United States for permanent residence and who has heretofore been or may hereafter be absent temporarily from the United States solely in his or her capacity as a regularly ordained clergyman, shall be considered as residing in the United States for the purpose of naturalization notwithstanding any such absence from the United States, but he or she shall in all other respects comply with the requirements of the naturalization laws. Such alien shall prove to the satisfaction of the Secretary of Labor and the naturalization court that his or her absence from the United States has been solely in the capacity hereinbefore described.

Naturalization.  
Lawfully admitted alien clergyman, temporarily absent, deemed resident for purposes of.

Proof required.

SEC. 2. The Commissioner of Immigration and Naturalization, with the approval of the Secretary of Labor, shall prescribe such rules and regulations as may be necessary for the enforcement of this Act.

Rules to be prescribed.

Approved, August 9, 1939.

## [CHAPTER 611]

## AN ACT

Giving clerks in the Railway Mail Service the benefit of holiday known as Armistice Day.

August 9, 1939  
[H. R. 4322]  
[Public, No. 350]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the third proviso of the first section of the Act entitled "An Act to fix the hours of duty of postal employees, and for other purposes", approved August 14, 1935, as amended, is amended by striking out the words "three hundred and six days" and inserting in lieu thereof the words "three hundred and five days".

Postal employees.  
Railway postal clerks, number of working days.  
49 Stat. 650.  
39 U. S. C., Supp. IV, § 832.

That this Act shall become effective as of October 1, 1939.

Effective date.

Approved, August 9, 1939.

## [CHAPTER 612]

## AN ACT

Authorizing the Secretary of Agriculture to prepare plans for the eradication and control of the pink bollworm, and for other purposes.

August 9, 1939  
[H. R. 4638]  
[Public, No. 351]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of Agriculture, with such assistance of the Secretary of State as may be mutually agreed upon by and between the Secretaries of Agriculture and State, is authorized and directed to carry on discussions with the heads of responsible agencies and responsible officials of the Government of Mexico and with such various States of the United States as he may deem necessary for the purpose of preparing plans looking toward the eradication and control of the pink bollworm affecting cotton within the United States and Mexico.

Pink bollworm.  
Discussions with Mexican Government and various States to prepare plans for eradication of, authorized.

SEC. 2. That plans developed pursuant to these discussions shall be submitted by the Secretary of Agriculture, on or before January 10, 1940, to the President of the United States who shall transmit to the Congress such recommendations with respect thereto as he may deem advisable.

Time for filing.

Expenses.

SEC. 3. That expenses incurred by agents of the United States in carrying out the discussions herein authorized shall be paid from regular appropriations made to the department of the Government of the United States by which the agent incurring them is employed.

Approved, August 9, 1939.

## [CHAPTER 613]

## AN ACT

August 9, 1939  
[H. R. 4872]  
[Public, No. 352]

To establish the Benjamin Harrison Commission to formulate plans for the construction of a permanent memorial to the memory of Benjamin Harrison, twenty-third President of the United States.

Benjamin Harrison  
Memorial Commission;  
establishment,  
composition, func-  
tions.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby established a commission, to be known as the Benjamin Harrison Memorial Commission, and to be composed of five commissioners, to be appointed by the President of the United States. Such commission shall consider and formulate plans for establishment of a permanent memorial in the city of Indianapolis, to the said Benjamin Harrison, twenty-third President of the United States.

Acceptance of  
money and property.

SEC. 2. Such commission may, in its discretion, accept from any source, public or private, money or property to be used for the purpose of making surveys and investigations, formulating, preparing, and considering plans for the construction of such memorial, or other expenses incurred, or to be incurred, in carrying out the provisions of this joint resolution.

Report to Congress.

SEC. 3. The commission shall report its recommendations to Congress as soon as practicable.

Appropriation au-  
thorized.

SEC. 4. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of \$2,500, which shall be available to defray the necessary expenses of the commission for the performance of their duties herein prescribed. Disbursement of the sum herein authorized shall be made on vouchers approved by the chairman of the commission.

Disbursement on  
approved vouchers.

Approved, August 9, 1939.

## [CHAPTER 614]

## AN ACT

August 9, 1939  
[H. R. 4938]  
[Public, No. 353]

To amend the Act approved June 26, 1935, entitled "An Act to create a national memorial military park at and in the vicinity of Kennesaw Mountain in the State of Georgia, and for other purposes."

Kennesaw Moun-  
tain National Battle-  
field Park, Ga.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 5 of the Act approved June 26, 1935, entitled "An Act to create a national memorial military park at and in the vicinity of Kennesaw Mountain in the State of Georgia, and for other purposes", be, and the same is hereby, amended by striking the period at the end thereof and inserting a colon and the following proviso: "*Provided*, That if, after the expenditure of the funds herein authorized, the Secretary of the Interior shall determine that the acquisition of additional lands is necessary in order to perfect the symmetry of the park area or to acquire locations of historic interest adjacent to the park area already acquired upon which fortifications or entrenchments are located which are likely to deteriorate or be destroyed under private ownership, he is authorized to acquire additional lands for such purposes."

49 Stat. 424.  
16 U. S. C., Supp.  
IV, § 430x.

*Proviso.*  
Acquisition of addi-  
tional lands author-  
ized.

SEC. 2. There is hereby authorized to be appropriated to carry out the purposes of this Act not to exceed the sum of \$55,000.

SEC. 3. That the Secretary of the Interior, in his discretion, is hereby authorized to convey without consideration, but under such terms and conditions as he may deem advisable, to the New Salem School district of Dade County, Georgia, not to exceed ten acres of land located within lot numbered 114, eleventh district, fourth section, of Dade County, Georgia, now a part of the Chickamauga-Chattanooga National Military Park.

Approved, August 9, 1939.

Appropriation authorized.  
*Post*, p. 1318.

New Salem School district, Dade County, Ga., conveyance of land.

# [CHAPTER 615]

## AN ACT

To regulate interstate and foreign commerce in seeds; to require labeling and to prevent misrepresentation of seeds in interstate commerce; to require certain standards with respect to certain imported seeds; and for other purposes.

August 9, 1939  
[H. R. 5625]

[Public, No. 354]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That this Act may be cited as the "Federal Seed Act".

Federal Seed Act.

## TITLE I—DEFINITIONS

SEC. 101. (a) When used in this Act—

Definitions.

(1) The term "United States" means the several States, Alaska, District of Columbia, Hawaii, and Puerto Rico.

"United States."

(2) The term "person" includes a partnership, corporation, company, society, or association.

"Person."

(3) The term "interstate commerce" means—

"Interstate commerce."

(A) commerce between any State, Territory, possession, or the District of Columbia, and any other State, Territory, possession, or the District of Columbia; or

(B) commerce between points within the same State, Territory, or possession, or the District of Columbia, but through any place outside thereof; or

(C) commerce within the District of Columbia.

(4) For the purposes of this Act with respect to labeling for variety and origin (but not in anywise limiting the foregoing definition), seeds shall be considered to be in interstate commerce, or delivered for transportation in interstate commerce, if such seeds are part of, or delivered for transportation in, that current of commerce usual in the transportation and/or merchandising of seeds, whereby such seeds are sent from one State with the expectation that they will end their transit in another, including, in addition to cases within the above general description, all cases where seeds are transported or delivered for transportation to another State, or for processing or cleaning for seeding purposes within the State and shipment outside the State of the processed or cleaned seeds. Seeds normally in such current of commerce shall not be considered out of such current through resort being had to any means or device intended to remove transactions in respect thereto from the provisions of this Act.

Construction with respect to labeling for variety and origin.

(5) The term "foreign commerce" means commerce between the United States, its possessions, or any Territory of the United States, and any foreign country.

"Foreign commerce."

(6) (a) The term "district court of the United States" means any court exercising the powers of a district court of the United States.

"District court of the United States."

(b) The term "circuit court of appeals", in case the principal place of business or the place of residence of a person against whom a cease

"Circuit court of appeals."

and desist order is issued is in the District of Columbia, includes the Court of Appeals of the District of Columbia.

(7) The term—

“Agricultural  
seeds.”

(A) “Agricultural seeds” shall include grass, forage, and field crop seeds, as follows:

*Agropyron cristatum* (L.) Beauv.—Crested wheatgrass.

*Agropyron pauciflorum* (Schwein.) Hitchc.—Slender wheatgrass.

*Agropyron smithii* Rydb.—Bluestem.

*Agrostis alba* L.—Redtop.

*Agrostis canina* L.—Velvet bent.

*Agrostis palustris* Huds.—Creeping bent.

*Agrostis* spp.—Bentgrasses.

*Avena* spp.—Oat.

*Beta vulgaris* L.—Field beet, excluding sugar beet.

*Brassica napus* L.—Winter rape.

*Bromus inermis* Leyss.—Smooth brome.

*Chloris gayana* Kunth.—Rhodes grass.

*Cynosurus cristatus* L.—Crested dogtail.

*Dactylis glomerata* L.—Orchard grass.

*Echinochloa crusgalli frumentacea* (Roxb.) Wight.—Japanese millet.

*Fagopyrum vulgare* Hill.—Common buckwheat.

*Festuca* spp.—Fescue.

*Gossypium* spp.—Cotton.

*Hordeum* spp.—Barley.

*Lespedeza sericea* (Thumb.) Miq.—Chinese lespedeza.

*Lespedeza stipulacea* Maxim.—Korean lespedeza.

*Lespedeza striata* (Thumb.) Hook and Arn.—Common and Kobe lespedeza.

*Linum usitatissimum* L.—Flax.

*Lolium multiflorum* Lam.—Italian ryegrass.

*Lolium perenne* L.—Perennial ryegrass.

*Medicago arabica* (L.) All.—Bur-clover.

*Medicago hispida* Gaertn.—Bur-clover.

*Medicago lupulina* L.—Black medick.

*Medicago sativa* L.—Alfalfa.

*Melilotus alba* Desr.—White sweetclover.

*Melilotus indica* (L.) All.—Sourclover.

*Melilotus officinalis* (L.) Lam.—Yellow sweetclover.

*Melinis minutiflora* Beauv.—Molasses grass.

*Oryza sativa* L.—Rice.

*Panicum fasciculatum* Swartz.—Browntop millet.

*Panicum miliaceum* L.—Proso.

*Paspalum dilatatum* Poir.—Dallis grass.

*Paspalum notatum* Fluegge.—Bahia grass.

*Pennisetum glaucum* (L.) R. Br.—Pearl millet.

*Pennisetum purpureum* Schumach.—Napier grass.

*Phleum pratense* L.—Timothy.

*Phalaris arundinacea* L.—Reed canary grass.

*Pisum sativum arvense* L. (Poir.)—Field pea, Austrian winter pea.

*Poa annua* L.—Annual bluegrass.

*Poa compressa* L.—Canada bluegrass.

*Poa nemoralis* L.—Wood bluegrass.

*Poa pratensis* L.—Kentucky bluegrass.

*Poa trivialis* L.—Rough bluegrass.

*Secale cereale* L.—Rye.

*Setaria italica* (L.) Beauv.—Foxtail, German, Hungarian, or golden millet.

*Soja max* (L.) Piper.—Soybean.

*Sorghum vulgare* Pers.—Sorghum.

*Sorghum vulgare sudanese* (Piper) Hitchc.—Sudan grass.

*Stizolobium utile* (Wall.) Piper and Tracy.—Velvetbean.

*Trifolium dubium* Sibth.—Suckling clover.

*Trifolium hybridum* L.—Alsike clover.

*Trifolium incarnatum* L.—Crimson clover.

*Trifolium pratense* L.—Red clover.

*Trifolium repens* L.—White clover.

*Triticum* spp.—Wheat; spelt; emmer.

*Vicia angustifolia* (L.) Reich.—Narrowleaf vetch.

*Vicia atropurpurea* Desf.—Purple vetch.

*Vicia dasycarpa* Ten.—Woollypod vetch.

*Vicia monantha* Desf.—Monantha vetch.

*Vicia pannonica* Crantz.—Hungarian vetch.

*Vicia sativa* L.—Common vetch.

*Vicia villosa* Roth.—Hairy vetch.

*Vigna sinensis* (Torner) Savi.—Cowpea.

*Zea mays* L.—Field corn:

*Provided*, That the Secretary of Agriculture is authorized by rules and regulations to add to or take from such list of agricultural seed, when he finds that any seeds are or are not used for seeding purposes in the United States.

*Proviso.*  
Revision of list permitted.

(B) "Vegetable seeds" shall include the seeds of those crops that are or may be grown in gardens or on truck farms and are or may be generally known and sold under the name of vegetable seeds.

"Vegetable seeds."

(8) (A) For the purpose of title II, the term "weed seeds" means the seeds or bulblets of plants recognized as weeds either by the law or rules and regulations of—

"Weed seeds" for purpose of title II.  
*Post*, p. 1279.

(i) The State into which the seed is offered for transportation; or

(ii) Alaska, Hawaii, Puerto Rico, or District of Columbia into which transported, or District of Columbia in which sold.

(B) For the purpose of title III, the term "weed seeds" means seeds or bulblets of plants which are found by the Secretary of Agriculture to be detrimental to the agricultural interests of the United States, or any part thereof.

"Weed seeds" for purpose of title III.  
*Post*, p. 1282.

(9) (A) For the purpose of title II, the term "noxious-weed seeds" means the seeds or bulblets of plants recognized as noxious—

"Noxious-weed seeds" for purpose of title II.

(i) by the law or rules and regulations of the State into which the seed is offered for transportation, or transported;

(ii) by the law or rules and regulations of Alaska, Hawaii, Puerto Rico, or the District of Columbia, into which transported, or District of Columbia in which sold; or

(iii) by the rules and regulations of the Secretary of Agriculture under this Act, when after investigation he shall determine that a weed is noxious in the United States or in any specifically designated area thereof.

(B) For the purpose of title III, the term "noxious-weed seeds" means the seeds of *Lepidium draba* L., *Lepidium repens* (Schrenk) Boiss., *Hymenophyssa pubescens* C. A., Mey., white top; *Cirsium arvense* (L.) Scop., Canada thistle; *Cuscuta* spp., dodder; *Agropyron repens* (L.) Beauv., quackgrass; *Sorghum halepense* (L.) Pers., Johnson grass; *Convolvulus arvensis* L., bindweed; *Centaurea picris* Pall.,

"Noxious-weed seeds" for purpose of title III.

Russian knapweed; *Sonchus arvensis* L., perennial sowthistle; *Euphorbia esula* L., leafy spurge; and seeds or bulblets of any other kinds which after investigation the Secretary of Agriculture finds should be included.

"Origin."

(10) The term "origin" means the State, Alaska, District of Columbia, Hawaii, Puerto Rico, or possession of the United States, or the foreign country, or designated portion thereof, where the seed was grown.

"Kind."

(11) The term "kind" means one or more related species or subspecies which singly or collectively is known by one common name, for example, wheat, oat, vetch, sweetclover, cabbage, cauliflower, and so forth.

"Variety."

(12) The term "variety" means a subdivision of a kind which is characterized by growth, plant, fruit, seed, or other characters by which it can be differentiated from other sorts of the same kind, for example, Marquis wheat, Flat Dutch cabbage, Manchu soybeans, Oxheart carrot, and so forth.

"Type."

(13) The term "type" means either (A) a group of varieties so nearly similar that the individual varieties cannot be clearly differentiated except under special conditions, or (B) when used with a variety name means seed of the variety named which may be mixed with seed of other varieties of the same kind and of similar character, the manner of and the circumstances connected with the use of the designation to be governed by rules and regulations prescribed under section 402 of this Act.

*Post*, p. 1285.

"Germination."

(14) The term "germination" means the percentage of seeds capable of producing normal seedlings under ordinarily favorable conditions (not including seeds which produce weak, malformed, or obviously abnormal sprouts), determined by methods prescribed under section 403 of this Act.

*Post*, p. 1285.

"Hard seeds."

(15) The term "hard seeds" means the percentage of seeds which because of hardness or impermeability do not absorb moisture or germinate under prescribed tests but remain hard during the period prescribed for germination of the kind of seed concerned, determined by methods prescribed under section 403 of this Act.

"Inert matter."

(16) The term "inert matter" means all matter not seeds, and includes among others broken seeds, sterile florets, chaff, fungus bodies, and stones, determined by methods prescribed under section 403 of this Act.

"Pure live seed."

(17) The term "pure live seed" for the purpose of title III means that portion of any lot of seed subject to this Act that consists of live agricultural or vegetable seed determined by methods prescribed under section 403 of this Act.

"Label."

(18) The term "label" means the display or displays of written, printed, or graphic matter upon or attached to the container of seed.

"Labeling."

(19) The term "labeling" includes all labels, and other written, printed, and graphic representations, in any form whatsoever, accompanying and pertaining to any seed whether in bulk or in containers, and includes invoices.

"Advertisement."

(20) The term "advertisement" means all representations, other than those on the label, disseminated in any manner or by any means, relating to seed within the scope of this Act.

Subject to prescribed tolerances.

(21) Subject to such tolerances as the Secretary of Agriculture is authorized to prescribe under the provisions of this Act—

"False labeling."

(A) the term "false labeling" means any labeling which is false or misleading in any particular;

"False advertisement."

(B) the term "false advertisement" means any advertisement which is false or misleading in any particular.

(22) The term "screenings" shall include chaff, sterile florets, immature seed, weed seed, inert matter, and any other materials removed in any way from any seeds in any kind of cleaning or processing and which contain less than 25 per centum of live agricultural or vegetable seeds.

(23) The term "in bulk" refers to seed when loose either in vehicles of transportation or in storage, and not to seed in bags or other containers.

"Screenings."

"In bulk."

## TITLE II—INTERSTATE COMMERCE

### PROHIBITIONS RELATING TO INTERSTATE COMMERCE IN CERTAIN SEEDS

SEC. 201. It shall be unlawful for any person to transport or deliver for transportation in interstate commerce—

(a) Any agricultural seeds or any mixture of agricultural seeds for seeding purposes, unless each container bears a label giving the following information in accordance with rules and regulations prescribed under section 402 of this Act:

(1) The name of (A) kind, or (B) kind and variety, or (C) kind and type, for each agricultural seed component present in excess of 5 per centum of the whole and the percentage by weight of each: *Provided*, That such components are expressed in accordance with the category designated under (A), (B), or (C);

(2) Lot number or other identification;

(3) Origin, stated in accordance with paragraph (a) (1) of this section, of each agricultural seed present which has been designated by the Secretary of Agriculture as one on which a knowledge of the origin is important from the standpoint of crop production, if the origin is known, and if each such seed is present in excess of 5 per centum. If the origin of such agricultural seed or seeds is unknown, that fact shall be stated;

(4) Percentage by weight of weed seeds, including noxious-weed seeds;

(5) Kinds of noxious-weed seeds and the rate of occurrence of each, which rate shall be expressed in accordance with and shall not exceed the rate allowed for shipment, movement, or sale of such noxious-weed seeds by the law and regulations of the State into which the seed is offered for transportation or transported or in accordance with the rules and regulations of the Secretary of Agriculture, when under the provisions of section 101 (a) (9) (A) (iii) he shall determine that weeds other than those designated by State requirements are noxious;

(6) Percentage by weight of agricultural seeds other than those included under paragraph (a) (1) of this section;

(7) Percentage by weight of inert matter;

(8) For each agricultural seed, in excess of 5 per centum of the whole, stated in accordance with paragraph (a) (1) of this section, (A) percentage of germination, exclusive of hard seed, (B) percentage of hard seed, if present, (C) the calendar month and year the test was completed to determine such percentages;

(9) Name and address of (A) the person who transports, or delivers for transportation, said seed in interstate commerce, or (B) the person to whom the seed is sold or shipped for resale, together with a code designation approved by the Secretary of Agriculture under rules and regulations prescribed under section 402 of this Act, indicating the person who transports or delivers for transportation said seed in interstate commerce;

Prohibitions relating to interstate commerce in certain seeds.  
Labeling requirements.

*Post*, p. 1285.

Name of kind, etc.

*Promiso*.  
Components to be expressed according to category designated.  
Lot number, etc.  
Origin.

Percentage by weight of weed seeds.

Kinds of noxious-weed seeds and rate of occurrence of each.

*Ante*, p. 1277.

Percentage by weight of certain agricultural seeds.

Inert matter.

Germination, etc.

Names, etc., of shipper and consignee.

*Post*, p. 1285.



Vegetable seeds, for seeding, in containers.  
*Post*, p. 1285.

Name of kind and variety.  
Seeds which germinate less than standard.  
*Post*, p. 1285.

Name of shipper, consignee, etc.

Determination of percentage of germination, test period.

*Proviso.*  
Periods of germination; regulations.

False labeling or advertisement, etc.

Violations of staining provisions.

Screenings.

(b) Any vegetable seeds, for seeding purposes, in containers, unless each container bears a label giving the following information in accordance with rules and regulations prescribed under section 402 of this Act;

(1) Name of kind and variety of seed;

(2) For seeds which germinate less than the standard last established by the Secretary of Agriculture, as provided under section 403 (c) of this Act—

(i) percentage of germination, exclusive of hard seed;

(ii) percentage of hard seed, if present;

(iii) the calendar month and year the test was completed to determine such percentages;

(iv) the words "Below Standard"; and

(3) Name and address of—

(A) The person who transports, or delivers for transportation, said seed in interstate commerce; or

(B) the person to whom the seed is sold or shipped for resale, together with a code designation approved by the Secretary of Agriculture under rules and regulations prescribed under section 402 of this Act, indicating the person who transports or delivers for transportation said seed in interstate commerce.

(c) Any agricultural or vegetable seed unless the test to determine the percentage of germination required by this section shall have been completed within a five-month period, exclusive of the calendar month in which the test was completed, immediately prior to transportation or delivery for transportation in interstate commerce: *Provided, however*, That the Secretary of Agriculture may by rules and regulations designate: (a) a shorter period for kinds of agricultural or vegetable seed which he finds under ordinary conditions of handling will not maintain, during the aforesaid five-month period, a germination within the established limits of tolerance; or (b) a longer period not to exceed nine months, exclusive of the calendar month in which the test was completed, for kinds of agricultural or vegetable seed which he finds under ordinary conditions of handling will maintain during such longer period a germination within the established limits of tolerance.

(d) Any agricultural seeds or vegetable seeds having a false labeling, or pertaining to which there has been a false advertisement, or to sell or offer for sale such seed for interstate shipment by himself or others.

(e) Seed which is required to be stained under the provisions of this Act and the regulations made and promulgated thereunder, and is not so stained.

(f) Seed which has been stained to resemble seed stained in accordance with the provisions of this Act and the regulations made and promulgated thereunder.

(g) Seed which is a mixture of seeds which are required to be stained or which are stained with different colors under the provisions of this Act and of the regulations made and promulgated thereunder, or which is a mixture of any seed required to be stained under the provisions of this Act and of the regulations made and promulgated thereunder, with seed of the same kind produced in the United States.

(h) Screenings of any seed subject to this Act, unless they are not intended for seeding purposes; and it is stated on the label, if in containers, or on the invoice if in bulk, that they are intended for cleaning, processing, or manufacturing purposes, and not for seeding purposes.

## RECORDS

SEC. 202. All persons transporting, or delivering for transportation, in interstate commerce agricultural seeds shall keep for a period of three years a complete record of origin, germination and purity of each lot of agricultural seed offered, and the Secretary of Agriculture, or his duly authorized agents, shall have the right to inspect such records for the purpose of the effective administration of this Act.

Records.

## EXEMPTIONS

SEC. 203. (a) The provisions of sections 201 and 202 shall not apply to any carrier in respect to any seed transported or delivered for transportation in the ordinary course of its business as a carrier: *Provided*, That such carrier is not engaged in processing or merchandising seed subject to the provisions of this Act; and such provisions shall not apply to seeds produced by any farmer on his own premises and sold by him directly to the consumer, provided such farmer is not engaged in the business of selling seeds not produced by him: *And provided further*, That such seeds produced or sold by him when transported or offered for transportation to any State, Territory, or District, shall not be exempted from the provisions of sections 201 and 202 unless said seeds shall be in compliance with the operation and effect of the laws of such State, Territory, or District, enacted in the exercise of its police power, to the same extent and in the same manner as though such seed had been produced, sold, offered or exposed for sale in such State, Territory, or District, and shall not be exempted therefrom by reason of being introduced therein in original packages or otherwise: *And provided further*, That such seeds produced or sold by him are in compliance with the seed laws of the State into which the seed is transported.

Exemptions.  
Carriers in ordinary business.*Provided*.  
Carrier not in business of processing or merchandising seed.

Farmers selling directly to consumer.

Exemption conditional on compliance with certain provisions.

State seed laws, compliance.

(b) The provisions of section 201 (a) or (b) shall not apply—

Further exemptions.  
Seed or grain not for seeding.

(1) to seed or grain not intended for seeding purposes when transported or offered for transportation in ordinary channels of commerce usual for such seed or grain intended for manufacture or for feeding; or

Seed for seeding.

(2) to seed intended for seeding purposes when transported or offered for transportation in interstate commerce—

If in bulk.

(A) if in bulk, in which case, however, the invoice pertaining to such seed shall bear the various statements required for the respective seeds under section 201 (a) and (b); or

(B) if consigned to a seed cleaning or processing establishment, to be cleaned or processed for seeding purposes: *Provided*, That this fact is so stated in the invoice, if in bulk, or on attached labels, if in containers: *Provided further*, That any such seed later to be labeled as to origin and/or variety, and for which consecutive records are necessary to establish these facts, shall be labeled as to these items in accordance with rules and regulations prescribed under section 402 of this Act.

If consigned to cleaning or processing establishment.

*Provided*.  
Fact to be so stated.

Labels and records to establish facts.

Post, p. 1285.

(c) When the Secretary of Agriculture finds that, because of the time interval between seed harvesting and sowing, or because of an emergency beyond human control, the information required by this Act as to the germination, and hard seed of certain kinds of seeds, cannot be given prior to transportation or delivery for transportation in interstate commerce, he may promulgate, with or without a hearing, rules and regulations providing that the provisions of section 201 (a) and (b) as to the required labeling for germination and

Waiver of restrictions on labeling for germination, etc.

hard seed shall not apply for such period and to such kinds of seed as he may specify in his said rules and regulations.

Full labeling requirements unnecessary under designated conditions.

(d) The provisions of section 201 (a) and (b) relative to the labeling of agricultural and vegetable seeds with the percentages of the kind or variety or type of seeds shall not be deemed violated if there be other seeds in the container or bulk which could not be, or were not, identified because of their indistinguishability in appearance from the seeds intended to be transported or delivered for transportation in interstate commerce, provided that the records of the person charged with the duty under said section of labeling or invoicing the seeds, kept in accordance with the rules and regulations of the Secretary of Agriculture, together with other pertinent facts, disclose that said person has taken all proper precautions to insure the identity to be that stated.

#### DISCLAIMERS AND NONWARRANTIES

Disclaimers and nonwarranties.

SEC. 204. The use of a disclaimer or nonwarranty clause in any invoice, advertising, labeling, or written, printed, or graphic matter, pertaining to any seed shall not constitute a defense, or be used as a defense in any way, in any prosecution, or in any proceeding for confiscation of seeds, brought under the provisions of this Act, or the rules and regulations made and promulgated thereunder.

#### FALSE ADVERTISING

False advertising unlawful.

Proviso. Exemptions.

SEC. 205. It shall be unlawful for any person to disseminate, or cause to be disseminated, any false advertisement concerning seed, by the United States mails, or in interstate or foreign commerce, in any manner or by any means, including radio broadcasts: *Provided, however,* That no person, advertising agency, or medium for the dissemination of advertising, except the person who transported, delivered for transportation, sold, or offered for sale seed to which the false advertisement relates, shall be liable under this section by reason of disseminating or causing to be disseminated any false advertisement, unless he or it has refused, on the request of the Secretary of Agriculture, to furnish the Secretary the name and post-office address of the person, or advertising agency, residing in the United States, who caused, directly or indirectly, the dissemination of such advertisement.

### TITLE III—FOREIGN COMMERCE

#### PROHIBITIONS AND PROCEDURES RELATING TO IMPORTATIONS

Prohibitions relating to importations.

SEC. 301. (a) The importation into the United States is prohibited of—

(1) any seed containing 10 per centum or more of any agricultural or vegetable seeds if any such seed is adulterated or unfit for seeding purposes, or is required to be stained and is not so stained, under the terms of this title, or the labeling of which is false or misleading in any respect;

(2) screenings of any seeds subject to title III of this Act (except that this shall not apply to screenings of wheat, oats, rye, barley, buckwheat, field corn, sorghum, broomcorn, flax, millet, proso, soybeans, cowpeas, field peas, or field beans, which are not imported for seeding purposes and are declared for cleaning, processing, or manufacturing purposes, and not for seeding purposes);

(3) any seed containing 10 per centum or more of the seeds of alfalfa or red clover, which has been stained prior to being offered for entry in a manner that does not permit compliance

with the provisions of this title and the regulations made and promulgated thereunder.

SEC. 302. (a) The Secretary of the Treasury shall deliver to the Secretary of Agriculture, subject to joint rules and regulations prescribed under section 402 of this Act, samples of seed and screenings which are being imported into the United States, or offered for import, giving notice thereof to the consignee, and if it appears from the examination of such samples that any seed or screenings offered to be imported into the United States are subject to the provisions of this title and do not comply with the provisions of this title, or if the labeling of such seed is false or misleading in any respect, such seed or screenings shall be refused admission, and the Secretary of the Treasury shall refuse delivery to the consignee, who may appear, however, before the Secretary of Agriculture and show cause why the seed or screenings should be admitted. Seed or screenings refused admission and not exported by the consignee within twelve months from the date of notice of such refusal shall be destroyed in accordance with joint rules and regulations prescribed under section 402 of this Act: *Provided*, That the Secretary of the Treasury may deliver to the consignee such seed or screenings pending examination and decision in the matter or for staining, if it be seed which is required to be stained, or for cleaning, on the execution of a redelivery bond for such amount as may be necessary under joint rules and regulations prescribed under section 402 of this Act, and on refusal to return such seed or screenings for any cause to the custody of the Secretary of the Treasury, when demanded, for the purpose of excluding such seed or screenings from the country, or for any other purpose, said consignee shall forfeit the full amount of the bond as liquidated damages: *And provided further*, That all charges for storage, cartage, and labor on the seed or screenings which are refused admission or delivery, shall be paid by the owner or consignee, and in default of such payment shall constitute a lien against future importation made by such owner or consignee.

(b) The refuse from any seeds or screenings which are allowed to be cleaned under bond shall be destroyed in accordance with joint rules and regulations prescribed under section 402 of this Act.

(c) The provisions of this title shall not apply—

- (1) when seed is shipped in bond through the United States, or
- (2) when the Secretary of Agriculture finds that a substantial proportion of the importations of any kind of seed is used for other than seeding purposes, and he provides by rules and regulations that seed of such kind not imported for seeding purposes shall be exempted from the provisions of the Act: *Provided*, That importations of such kinds of seed shall be accompanied by a declaration setting forth the use for which imported when and as required under joint rules and regulations prescribed under section 402 of this Act.

Procedures relating to importations.

Post, p. 1285.

*Provisos.*  
Release under redelivery bond in certain cases.

Penalty provision.

Charges a lien against future importation.

Refuse to be destroyed.

Exemptions from provisions of title.  
Shipments in bond.  
Seed used for other than seeding purposes.

*Proviso.*  
Accompanying declaration.

Post, p. 1285.

#### ADULTERATED SEED

SEC. 303. Seed subject to the provisions of section 301 is adulterated if any kind of such seed contains more than 5 per centum by weight of seed or seeds of another kind or kinds of similar appearance: *Provided*, That the mixture of the seed of white and alsike clover, or red clover and alsike clover, shall not be deemed to be adulterated, and that other seed mixtures of similar kinds of seeds of similar appearance shall not be deemed to be adulterated when the Secretary of Agriculture finds and prescribes by order that the importation of such seed mixtures for planting is not detrimental to the user of such seeds,

Adulterated seed.

*Proviso.*  
Approved mixtures.

## SEED UNFIT FOR SEEDING PURPOSES

Seed unfit for seed-  
ing purposes.

SEC. 304. Seed subject to the provisions of section 301 is unfit for seeding purposes—

(a) If any such seed contains noxious-weed seed at a rate in excess of—

(1) one noxious-weed seed in each ten grams of the seed of timothy, orchard grass, bromegrass, crested wheatgrass, slender wheatgrass, ryegrass, sweetclover, alfalfa, millet, rape, flax, clovers, and species of *Agrostis*, *Festuca*, or *Poa*, or any kind of seed of a size and weight similar to or less than those named;

(2) one noxious-weed seed in each twenty-five grams of the seed of sorghum, Sudan grass, and buckwheat, or any kind of seed of a size and weight greater than the seeds referred to in (a) (1), but less than seeds referred to in (a) (3) of this section;

(3) one noxious-weed seed in each one hundred grams of the seed of wheat, oats, rye, barley, vetches, and corn, or any seed of a size and weight similar to or greater than such seed.

(b) If any such seed contains more than 2 per centum by weight of weed seeds; or

(c) If any such seed contains less than 75 per centum of pure, live seed, or if any component of such seed present to the extent of 10 per centum or more contains less than 75 per centum of live seed: *Provided*, That when the Secretary of Agriculture shall find that any such seed or any kind of seed present to the extent of 10 per centum or more cannot be produced to contain 75 per centum of pure, live seed, he may set up such standard from time to time for pure, live seed as he finds can be produced.

*Proviso.*  
Seed standards.

## CERTAIN SEEDS REQUIRED TO BE STAINED

Certain seeds re-  
quired to be stained.

SEC. 305. (a) Any seed containing 10 per centum or more of the seeds of alfalfa and/or red clover, subject to the provisions of section 301, shall be stained in such manner and to such extent as the Secretary of Agriculture by regulation may prescribe and, when practicable, the color produced by such stain shall indicate the country or region of origin.

(b) Whenever the Secretary of Agriculture, after public hearing, determines that seed of alfalfa or red clover from any foreign country or region is not adapted for general agricultural use in the United States, he shall publish such determination. On and after the expiration of ninety days after the date of such publication, and until such determination is revoked, 10 per centum or more of the seeds in each container of such alfalfa or red clover seed, or any seed containing 10 per centum or more of such alfalfa or red clover seed, shall be stained a red color, in accordance with such regulations as the Secretary of Agriculture may prescribe.

(c) Whenever the origin of the seed of alfalfa or of red clover present in excess of 10 per centum in any seed subject to section 301 of this Act is unestablished, 10 per centum of the seed in each container shall be stained a red color.

(d) Whenever the seeds of alfalfa or of red clover of different origins are present in excess of 10 per centum in any seed subject to section 301 of this Act, and different colors are required by reason of such different origins, 10 per centum of the seed in each container shall be stained red.

(e) Whenever any seed required to be stained under the provisions of this Act is commingled with seed of the same kind grown in the United States, the seed in each container thereof shall be stained 10 per centum red.

## CERTAIN ACTS PROHIBITED

SEC. 306. It shall be unlawful for any person—

Unlawful acts.

(a) To sell or offer for sale—

(1) any seed for seeding purposes if imported under this title for other than seeding purposes;

(2) any screenings of any seeds for seeding purposes if imported under this title for other than seeding purposes;

(3) any seed which is prohibited entry under the provisions of this Act;

(4) any seed which has been stained to resemble seed stained in accordance with the provisions of this Act and the rules and regulations made and promulgated thereunder;

(5) any seed stained under the provisions of this Act and the rules and regulations made and promulgated thereunder, when mixed with seed of the same kind produced in the United States;

(6) any seed stained with different colors;

(7) any seed stained under the provisions of this Act, the labeling of which states that such seed is adapted.

(b) To change the proportion of seeds stained under the provisions of this Act and the rules and regulations made and promulgated thereunder, or to alter, modify, conceal, or remove in any manner or by any means the color of such stained seeds.

## TITLE IV—GENERAL PROVISIONS

## DELEGATION OF DUTIES

SEC. 401. Any duties devolving upon the Secretary of Agriculture by virtue of the provisions of this Act may with like force and effect be executed by such officer or officers, agent or agents, of the Department of Agriculture as the Secretary may designate for the purpose.

Delegation of duties.

## RULES AND REGULATIONS

SEC. 402. (a) The Secretary of Agriculture shall make such rules and regulations as he may deem necessary for the effective enforcement of this Act, except as otherwise provided in this section.

Rules and regulations.

(b) The Secretary of the Treasury and the Secretary of Agriculture shall make, jointly or severally, such rules and regulations as they may deem necessary for the effective enforcement of title III of this Act.

*Ante*, p. 1282.

(c) Prior to the promulgation of any rule or regulation under this Act, due notice shall be given by publication in the Federal Register of intention to promulgate and the time and place of a public hearing to be held with reference thereto, and no rule or regulation may be promulgated until after such hearing. Any rule or regulation shall become effective on the date fixed in the promulgation, which date shall be not less than thirty days after publication in the Federal Register, and may be amended or revoked in the manner provided for its promulgation.

Advance notice in Federal Register.

## STANDARDS, TESTS, AND TOLERANCES

SEC. 403. (a) The samplings, analyses, tests, or examinations of seeds made in connection with the administration of this Act shall be made by methods set forth by rules and regulations prescribed under section 402 of this Act.

Standards, tests, and tolerances.

(b) The Secretary of Agriculture is authorized and directed to make and promulgate by rules and regulations, reasonable tolerances as to the percentages and rates of occurrence required to be stated or required by this Act.

*Antr.*, p. 1280.

(c) For the purpose of section 201 (b) of this Act, the Secretary of Agriculture is authorized and directed to investigate, determine, establish, and promulgate from time to time such reasonable standards of germination for each kind of vegetable seed as will in his judgment best protect crop production.

#### PROHIBITION AGAINST ALTERATIONS

Prohibition against alterations.

SEC. 404. No person shall detach, alter, deface, or destroy any label provided for in this Act or the rules and regulations made and promulgated thereunder by the Secretary of Agriculture, or alter or substitute seed in a manner that may defeat the purpose of this Act.

#### SEIZURE

Seizure of seed sold, delivered, or transported, etc., in violation of Act.

SEC. 405. (a) Any seed sold, delivered for transportation in interstate commerce, or transported in interstate or foreign commerce in violation of any of the provisions of this Act shall, at the time of such violation or at any time thereafter, be liable to be proceeded against on libel of information and condemned in any district court of the United States within the jurisdiction of which the seed is found.

Disposition of condemned seed.

(b) If seed is condemned by a decree of the court as being in violation of the provisions of this Act, it may be disposed of by the court by—

(1) sale; or

(2) delivery to the owner thereof after he has appeared as claimant and paid the court costs and fees and storage and other proper expenses and executed and delivered a bond with good and sufficient sureties that such seed will not be sold or disposed of in any jurisdiction contrary to the provisions of this Act and the rules and regulations made and promulgated thereunder, or the laws of such jurisdiction; or

(3) destruction.

Disposition of proceeds.

(c) If such seed is disposed of by sale, the proceeds of the sale, less the court costs and fees and storage and other proper expenses, shall be paid into the Treasury as miscellaneous receipts, but such seed shall not be sold or disposed of in any jurisdiction contrary to the provisions of this Act and the rules and regulations made and promulgated thereunder, or the laws of such jurisdiction.

Proceedings.

(d) The proceedings in such libel cases shall conform, as nearly as may be, to the proceedings in admiralty, except that either party may demand trial by jury of any issue of fact joined in any such case; and such proceedings shall be at the suit of and in the name of the United States.

#### PENALTIES

Penalties.

SEC. 406. Any person who violates any provision of this Act or the rules and regulations made and promulgated thereunder shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall pay a fine of not more than \$1,000, for the first offense, and upon conviction for each subsequent offense not more than \$2,000.

Enforcement to include corporate as well as individual liability.

SEC. 407. When construing and enforcing the provisions of this Act, the act, omission, or failure of any officer, agent, or other person acting for or employed by any person, partnership, corporation, company, society, or association, shall in every case be also deemed to be the act, omission, or failure of such person, partnership, corporation, company, society, or association, as well as that of the person employed.

Opportunity to present views before violation reported.

SEC. 408. Before any violation of this Act is reported by the Secretary of Agriculture to any United States attorney for institution of a criminal proceeding, the person against whom such proceeding

is contemplated shall be given appropriate notice and an opportunity to present his views, either orally or in writing, with regard to such contemplated proceeding.

#### CEASE AND DESIST PROCEEDINGS

SEC. 409. (a) Whenever the Secretary of Agriculture has reason to believe that any person has violated or is violating any of the provisions of this Act or the rules and regulations made and promulgated thereunder, he shall cause a complaint in writing to be served upon the person, stating his charges in that respect, and requiring the person to attend and testify at a hearing at a time and place designated therein, at least thirty days after the service of such complaint; and at such time and place there shall be afforded the person a reasonable opportunity to be informed as to the evidence introduced against him (including the right of cross-examination), and to be heard in person or by counsel and through witnesses, under such rules and regulations as the Secretary of Agriculture may prescribe. At any time prior to the close of the hearing the Secretary of Agriculture may amend the complaint; but in case of any amendment adding new provisions the hearing shall, on the request of the person, be adjourned for a period not exceeding fifteen days.

Cease and desist proceedings.  
Service of complaint; hearing.

(b) If, after such hearing, the Secretary of Agriculture finds that the person has violated or is violating any provisions of the Act or rules and regulations covered by the charges, he shall make a report in writing in which he shall state his findings as to the facts, and shall issue and cause to be served on the person an order requiring such person to cease and desist from continuing such violation. The testimony taken at the hearing shall be reduced to writing and filed in the records of the Department of Agriculture.

Cease and desist order to be served if violation found.

(c) Until a transcript of the record in such hearing has been filed in a circuit court of appeals, as provided in section 410, the Secretary of Agriculture at any time, upon such notice and in such manner as he deems proper, but only after reasonable opportunity to the person to be heard, may amend or set aside the report or order, in whole or in part.

Amendment, etc., of report or order.

(d) Complaints, orders, and other processes of the Secretary of Agriculture under this section may be served by anyone duly authorized by the Secretary of Agriculture, either (1) by delivering a copy thereof to the person to be served, or to a member of the partnership to be served, or to the president, secretary, or other executive officer or a director of the corporation to be served; or (2) by leaving a copy thereof at the principal office or place of business of such person, partnership, or corporation; or (3) by registering and mailing a copy thereof addressed to such person, partnership, or corporation at his or its last known principal office or place of business. The verified return by the person so serving said complaint, order, or other process setting forth the manner of said order shall be proof of the same, and the return post-office receipt for said complaint, order, or other process registered and mailed as aforesaid shall be proof of the service of the same.

Service of complaints, orders, and other processes.

SEC. 410. An order made under section 409 shall be final and conclusive unless within thirty days after the service the person appeals to the circuit court of appeals for the circuit in which such person resides or has his principal place of business by filing with the clerk of such court a written petition praying that the Secretary's order be set aside or modified in the manner stated in the petition, together with a bond in such sum as the court may determine, conditioned that such person will pay the costs of the proceedings if the court so directs.

Order final unless appeal taken within thirty days.

Bond.



Court procedure.	The clerk of the court shall immediately cause a copy of the petition to be delivered to the Secretary, and the Secretary shall forthwith prepare, certify, and file in the court a full and accurate transcript of the record in such proceedings, including the complaint, the evidence, and the report and order. If before such transcript is filed, the Secretary amends or sets aside his report or order, in whole or in part, the petitioner may amend the petition within such time as the court may determine, on notice to the Secretary.
Amendment of petition by petitioner.	
Temporary injunctions.	At any time after such transcript is filed the court, on application of the Secretary, may issue a temporary injunction restraining, to the extent it deems proper, the person and his officers, directors, agents, and employees from violating any of the provisions of the order pending the final determination of the appeal.
Evidence.	The evidence so taken or admitted, duly certified and filed as aforesaid as a part of the record, shall be considered by the court as the evidence in the case. The proceedings in such cases in the circuit court of appeals shall be made a preferred cause and shall be expedited in every way.
Powers of court.	The court may affirm, modify, or set aside the order of the Secretary.
Reopening of hearing.	If the court determines that the just and proper disposition of the case requires the taking of additional evidence, the court shall order the hearing to be reopened for the taking of such evidence, in such manner and upon such terms and conditions as the court may deem proper. The Secretary may modify his findings as to the facts, or make new findings, by reason of the additional evidence so taken, and he shall file such modified or new findings and his recommendations, if any, for the modification or setting aside of his order, with the return of such additional evidence.
Effect of court orders.	If the circuit court of appeals affirms or modifies the order of the Secretary, its decree shall operate as an injunction to restrain the person and his officers, directors, agents, and employees from violating the provisions of such order or such order as modified.
Failure to obey order; enforcement.	SEC. 411. If any person against whom an order is issued under section 409 fails to obey the order, the Secretary of Agriculture, or the United States, by its Attorney General, may apply to the circuit court of appeals of the United States, within the circuit where the person against whom the order was issued resides or has his principal place of business, for the enforcement of the order, and shall certify and file with its application a full and accurate transcript of the record in such proceedings, including the complaint, the evidence, the report, and the order. Upon such filing of the application and transcript the court shall cause notice thereof to be served upon the person against whom the order was issued. The evidence to be considered, the procedure to be followed, and the jurisdiction of the court shall be the same as provided in section 410 for applications to set aside or modify orders.
	The proceedings in such cases shall be made a preferred cause and shall be expedited in every way.

## SEPARABILITY OF PROCEEDINGS

Separability of proceedings.	SEC. 412. The institution of any one of the proceedings provided for in sections 405, 409, 410, and 411, or criminal prosecution under section 406 shall not bar institution of any of the others. However, nothing in this Act shall be construed as requiring the Secretary of Agriculture to recommend prosecution or institution of libel proceedings, cease-and-desist proceedings or proceedings for the enforce-
Minor violations.	

ment of a cease-and-desist order, for minor violations of this Act whenever he believes that the public interest will be adequately served by suitable written notice or warning.

SEC. 413. (a) In carrying on the work herein authorized, the Secretary of Agriculture, or any officer or employee designated by him for such purpose, shall have power to hold hearings, administer oaths, sign and issue subpoenas, examine witnesses, take depositions, and require the production of books, records, accounts, memoranda, and papers, and have access to office and warehouse premises. Upon refusal by any person to appear, testify, or produce pertinent books, records, accounts, memoranda, and papers in response to a subpoena, or to permit access to premises, the proper United States district court shall have power to compel obedience thereto.

Powers of Secretary of Agriculture.

Refusal to appear, testify, etc.

(b) Witnesses summoned before the Secretary or any officer or employee designated by him shall be paid the same fees and mileage that are paid witnesses in the courts of the United States, and witnesses whose depositions are taken and the persons taking the same shall severally be entitled to the same fees as are paid for like service in the courts of the United States.

Witness fees and mileage.

#### PUBLICATION

SEC. 414. After judgment by the court, or the issuance of a cease and desist order, in any case arising under this Act, notice thereof shall be given by publication in such manner as may be prescribed in the rules and regulations made and promulgated under this Act.

Publication.

#### AUTHORIZATION FOR APPROPRIATIONS

SEC. 415. (a) There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary for administering this Act.

Authorization for appropriations.

(b) Funds appropriated for carrying into effect the purpose of this Act shall be available for allotment by the Secretary of Agriculture to the bureaus and offices of the Department of Agriculture and for transfer to other departments and agencies of the Government which the Secretary of Agriculture may call upon to assist or cooperate in carrying out such purposes or for services rendered or to be rendered in connection therewith.

Availability of funds for allotment.

#### AUTHORIZATION FOR EXPENDITURES

SEC. 416. The Secretary of Agriculture is authorized to make such expenditures for rent, outside of the District of Columbia, printing, binding, telegrams, telephones, books of reference, publications, furniture, stationery, office and laboratory equipment, travel, and other supplies, including reporting services, such research necessary to develop methods of processing, bulking, blending, sampling, testing, and merchandising seeds necessary to the administration of this Act and other necessary expenses in the District of Columbia and elsewhere, and as may be appropriated for by the Congress.

Authorization for expenditures.

#### COOPERATION

SEC. 417. The Secretary of Agriculture is authorized to cooperate with any other department or agency of the Federal Government; or with any State, Territory, District, or possession, or department, agency, or political subdivision thereof; or with any producing, trading, or consuming organization, whether operating in one or more jurisdictions, in carrying out the provisions of this Act.

Cooperation with Federal agencies, States, etc.

## SEPARABILITY OF PROVISIONS

Separability of provisions.

SEC. 418. If any provision of this Act, or the application thereof to any person or circumstance, is held invalid, the remainder of the Act, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

## REPEALS

Repeals.  
37 Stat. 506; 39 Stat. 453; 44 Stat. 325.  
7 U. S. C. §§ 111-116.  
*Provido.*  
Designated notices to remain in effect.

SEC. 419. The Importation of Adulterated Seeds Act, approved August 24, 1912, as amended August 11, 1916, and as amended April 26, 1926 (7 U. S. C., 111-116, inclusive), is hereby repealed on the one hundred and eightieth day after the passage of this Act: *Provided, however,* That the notices with respect to imported alfalfa and red clover seed promulgated by the Secretary of Agriculture under the authority of the Importation of Adulterated Seeds Act, approved August 24, 1912, as amended (7 U. S. C., 111-116, inclusive), and now in effect, shall remain with the same full force and effect as if promulgated under this Act.

## EFFECTIVE DATE

Effective date.

SEC. 420. This Act shall take effect as follows: As to agricultural seeds, and the importation of vegetable seeds, on the one hundred and eightieth day after its enactment; as to vegetable seeds in interstate commerce, one year after its enactment; and as to sections 401, 402, and 403, on the date of its enactment.

Approved, August 9, 1939.

## [CHAPTER 616]

## AN ACT

August 9, 1939  
[H. R. 5835]  
[Public, No. 355]

To authorize the President to render closer and more effective the relationship between the American republics.

American republics.  
President authorized to utilize Government agencies in effecting purposes of designated treaties, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to render closer and more effective the relationship between the American republics the President of the United States is hereby authorized, subject to such appropriations as are made available for the purpose, to utilize the services of the departments, agencies, and independent establishments of the Government in carrying out the reciprocal undertakings and cooperative purposes enunciated in the treaties, resolutions, declarations, and recommendations signed by all of the twenty-one American republics at the Inter-American Conference for the Maintenance of Peace held at Buenos Aires, Argentina, in 1936, and at the Eighth International Conference of American States held at Lima, Peru, in 1938.

Advisory committees.

SEC. 2. The President is authorized to create such advisory committees as in his judgment may be of assistance in carrying out the undertakings of this Government under the treaties, resolutions, declarations, and recommendations referred to, but no committee or member thereof shall be allowed any salary or other compensation for services: *Provided, however,* That they may, within the limits of appropriations made available therefor by the Congress, which appropriations are hereby authorized, be paid their actual transportation expenses and not to exceed \$10 per diem in lieu of subsistence and other expenses while away from their homes in attendance upon meetings within the United States under instructions from the Secretary of State.

No salary, etc.

*Provido.*  
Allowances.

Approved, August 9, 1939.

## [CHAPTER 617]

## AN ACT

To repeal the minimum-price limitation on sale of the Akron, Ohio, old post-office building and site.

August 9, 1939  
[H. R. 6021]  
[Public, No. 356]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the following parts of Acts regulating sale of the Akron, Ohio, old post-office building and site are hereby repealed:

Akron, Ohio, old post-office building and site.

(a) The proviso limiting the last sentence of section 13 of the Act entitled "An Act to increase the limit of cost of certain public buildings \* \* \*", approved March 4, 1913 (Public, Numbered 432, Sixty-second Congress; 37 Stat. 882), reading as follows: "*Provided*, That said building and site shall not be sold for any sum less than \$100,000.";

Minimum price limitation on sale of, repealed.

37 Stat. 882.

(b) The last clause of the Act entitled "An Act to authorize the sale of the Government property acquired for a post-office site in Akron, Ohio", approved May 13, 1930 (Public, Numbered 206, Seventy-first Congress; 46 Stat. 274), reading as follows: "and to sell the remainder of the site upon the terms and conditions provided in the Act of Congress approved March 4, 1913, authorizing the sale of the above old post-office property in Akron, Ohio."

Clause authorizing sale of remainder of site repealed.

46 Stat. 274.

Approved, August 9, 1939.

## [CHAPTER 618]

## AN ACT

To provide for the seizure and forfeiture of vessels, vehicles, and aircraft used to transport narcotic drugs, firearms, and counterfeit coins, obligations, securities, and paraphernalia, and for other purposes.

August 9, 1939  
[H. R. 6556]  
[Public, No. 357]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That (a) it shall be unlawful (1) to transport, carry, or convey any contraband article in, upon, or by means of any vessel, vehicle, or aircraft; (2) to conceal or possess any contraband article in or upon any vessel, vehicle, or aircraft, or upon the person of anyone in or upon any vessel, vehicle, or aircraft; or (3) to use any vessel, vehicle, or aircraft to facilitate the transportation, carriage, conveyance, concealment, receipt, possession, purchase, sale, barter, exchange, or giving away of any contraband article.

Transportation, etc., of contraband articles by vessels, vehicles, or aircraft, unlawful.

(b) As used in this section, the term "contraband article" means—

"Contraband article" defined.  
Narcotic drug.

(1) Any narcotic drug which has been or is possessed with intent to sell or offer for sale in violation of any laws or regulations of the United States dealing therewith, or which is sold or offered for sale in violation thereof, or which does not bear appropriate tax-paid internal-revenue stamps as required by law or regulations;

(2) Any firearm, with respect to which there has been committed any violation of any provision of the National Firearms Act, as now or hereafter amended, or any regulation issued pursuant thereto; or

Firearm.  
48 Stat. 1236.  
26 U. S. C. §§ 1132-1132q; Supp. IV, ch. 15A.  
Counterfeit coin, obligation, etc.

(3) Any falsely made, forged, altered, or counterfeit coin or obligation or other security of the United States or of any foreign government; or any material or apparatus, or paraphernalia fitted or intended to be used, or which shall have been used, in the making of any such falsely made, forged, altered, or counterfeit coin or obligation or other security.

SEC. 2. Any vessel, vehicle, or aircraft which has been or is being used in violation of any provision of section 1, or in, upon, or by means of which any violation of section 1 has taken or is taking

Seizure and forfeiture of vessels, etc., transporting contraband.

*Provisos.*  
Owner or master a  
consenting party or  
privity thereto.

Violation by person  
other than owner, pos-  
sessing vessel, etc.,  
unlawfully.

Enforcement provi-  
sions.

Application of laws.

*Proviso.*  
Duties with respect  
to seizures, etc.

Appropriations made  
available.

Provisions deemed  
supplemental to exist-  
ing laws.

Definitions.

"Vessel."

"Vehicle."

place, shall be seized and forfeited: *Provided*, That no vessel, vehicle, or aircraft used by any person as a common carrier in the transaction of business as such common carrier shall be forfeited under the provisions of this Act unless it shall appear that (1) in the case of a railway car or engine, the owner, or (2) in the case of any other such vessel, vehicle, or aircraft, the owner or the master of such vessel or the owner or conductor, driver, pilot, or other person in charge of such vehicle or aircraft was at the time of the alleged illegal act a consenting party or privity thereto: *Provided further*, That no vessel, vehicle, or aircraft shall be forfeited under the provisions of this Act by reason of any act or omission established by the owner thereof to have been committed or omitted by any person other than such owner while such vessel, vehicle, or aircraft was unlawfully in the possession of a person who acquired possession thereof in violation of the criminal laws of the United States, or of any State.

SEC. 3. The Secretary of the Treasury is empowered to authorize, or designate, officers, agents, or other persons to carry out the provisions of this Act. It shall be the duty of any officer, agent, or other person so authorized or designated, or authorized by law, whenever he shall discover any vessel, vehicle, or aircraft which has been or is being used in violation of any of the provisions of this Act, or in, upon, or by means of which any violation of this Act has taken or is taking place, to seize such vessel, vehicle, or aircraft and to place it in the custody of such person as may be authorized or designated for that purpose by the Secretary of the Treasury, to await disposition pursuant to the provisions of this Act and any regulations issued hereunder.

SEC. 4. All provisions of law relating to the seizure, summary and judicial forfeiture, and condemnation of vessels and vehicles for violation of the customs laws; the disposition of such vessels and vehicles or the proceeds from the sale thereof; the remission or mitigation of such forfeitures; and the compromise of claims and the award of compensation to informers in respect of such forfeitures shall apply to seizures and forfeitures incurred, or alleged to have been incurred, under the provisions of this Act, insofar as applicable and not inconsistent with the provisions hereof: *Provided*, That such duties as are imposed upon the collector of customs or any other person with respect to the seizure and forfeiture of vessels and vehicles under the customs laws shall be performed with respect to seizures and forfeitures of vessels, vehicles, and aircraft under this Act by such officers, agents, or other persons as may be authorized or designated for that purpose by the Secretary of the Treasury.

SEC. 5. Any appropriation which has been or shall hereafter be made for the enforcement of the customs, narcotics, counterfeiting, or internal-revenue laws, and the provisions of the National Firearms Act shall be available for the defraying of expenses of carrying out the provisions of this Act.

SEC. 6. The provisions of this Act shall be construed to be supplemental to, and not to impair in any way, existing provisions of law imposing fines, penalties, or forfeitures; or providing for the seizure, condemnation, or disposition of forfeited property or the proceeds thereof; or authorizing the remission or mitigation of fines, penalties, or forfeitures.

SEC. 7. When used in this Act—

(a) The term "vessel" includes every description of watercraft or other contrivance used, or capable of being used, as means of transportation in water, but does not include aircraft;

(b) The term "vehicle" includes every description of carriage or other contrivance used, or capable of being used, as means of transportation on, below, or above the land, but does not include aircraft;

(c) The term "aircraft" includes every description of craft or carriage or other contrivance used, or capable of being used, as means of transportation through the air;

(d) The term "narcotic drug" means any narcotic drug, as now or hereafter defined by the Narcotic Drugs Import and Export Act, the internal-revenue laws or any amendments thereof, or the regulations issued thereunder; or marihuana as now or hereafter defined by the Marihuana Tax Act of 1937 or the regulations issued thereunder;

(e) The term "firearm" means any firearm, as now or hereafter defined by the National Firearms Act, or any amendments thereof, or the regulations issued thereunder; and

(f) The words "obligation or other security of the United States" are used as now or hereafter defined in section 147 of the Criminal Code, as amended (U. S. C., title 18, sec. 261).

SEC. 8. The Secretary of the Treasury shall prescribe such rules and regulations as may be necessary to carry out the provisions of this Act.

Approved, August 9, 1939.

#### [CHAPTER 619]

#### AN ACT

To repeal section 4897 of the Revised Statutes (U. S. C., title 35, sec. 38), and amend sections 4885 and 4934 of the Revised Statutes (U. S. C., title 35, secs. 41 and 78).

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 4897 of the Revised Statutes (U. S. C., title 35, sec. 38) be repealed.

SEC. 2. That section 4885 of the Revised Statutes (U. S. C., title 35, sec. 41) be amended by adding at the end thereof the following: "*Provided, however*, That the Commissioner of Patents may in his discretion receive the final fee if paid within one year after the six months' period for payment has passed and the patent shall issue".

SEC. 3. That section 4934 of the Revised Statutes (U. S. C., title 35, sec. 78) be amended by changing the last sentence to read: "On filing each petition for the revival of an abandoned application for a patent or for the delayed payment of the fee for issuing each patent, \$10."

SEC. 4. This Act shall take effect upon approval: *Provided, however*, That in all cases in which the notice of allowance had been sent prior to the time at which this Act takes effect the final fee may be paid and other proceedings may be taken under the statutes in force at the time of approval of this Act as if such statutes had not been amended or repealed.

Approved, August 9, 1939.

#### [CHAPTER 620]

#### AN ACT

To provide for insanity proceedings in the District of Columbia.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That any person with whom an alleged insane person may reside, or at whose house he may be, or the father or mother, husband or wife, brother or sister, or the child of lawful age of any such person, or the nearest relative or friend available, or the committee of such person, or an officer of any charitable institution, home, or hospital in which such person may be, or any duly accredited officer or agent of the Board

"Aircraft."

"Narcotic drug."  
42 Stat. 596.  
21 U. S. C. §§ 171-185.

50 Stat. 551.  
26 U. S. C., Supp. IV, § 1399-1399q.

"Firearm."  
48 Stat. 1236.  
26 U. S. C. §§ 1132-1132q; Supp. IV, ch. 15A.

"Obligation or other security of the United States."  
18 U. S. C. § 261; Supp. IV, § 261.  
Rules and regulations.

August 9, 1939

[H. R. 6874]

[Public, No. 358]

Patents.  
Section repealed.  
R. S. § 4897.  
35 U. S. C. § 38.  
*Proviso*.  
Payment of final fees.  
R. S. § 4885.  
35 U. S. C. § 41.

Petition for revival of abandoned application, etc.  
R. S. § 4934.  
35 U. S. C. § 78.

Effective date.  
*Proviso*.  
Procedure where notice of allowance sent prior to effective date.

August 9, 1939

[H. R. 7086]

[Public, No. 359]

District of Columbia.  
Insanity proceedings.  
Application for writ de lunatico inquirendo, etc.

33 Stat. 316.  
16 D. C. Code  
§§ 31-32.

Admission to Gallinger Hospital upon personal application for observation.

Issuance of attachment.

Examination.

Transfer to Saint Elizabeths Hospital.

Fact to be reported to Commission on Mental Health.  
52 Stat. 625.  
16 D. C. Code § 42.  
Commitment at expense of D. C.

Temporary removal to Saint Elizabeths Hospital upon petition in certain cases.

52 Stat. 625.  
16 D. C. Code § 41.  
Certificate to accompany.

Provisional detention pending court order.

of Public Welfare, or any officer authorized to make arrests in the District of Columbia who has arrested any alleged insane person under the provisions of the Act of Congress approved April 27, 1904 (33 Stat. 316), may apply for a writ de lunatico inquirendo and an order of commitment, or either thereof, for any alleged insane person in the District of Columbia, by filing in the District Court of the United States for the District of Columbia a verified petition therefor, containing a statement of the facts upon which the allegation of insanity is based.

Any person believing he has, or is about to, become mentally ill may, upon his own written application, in the discretion of the chief psychiatrist of Gallinger Municipal Hospital, enter Gallinger Municipal Hospital for observation and place himself subject to examination and commitment as hereinafter provided.

SEC. 2. Upon the filing with the court of a verified petition as hereinabove provided, accompanied by the affidavits of two or more responsible residents of the District of Columbia setting forth that they believe the person therein named to be insane or of unsound mind, the length of time they have known such person, that they believe such person to be incapable of managing his own affairs, and that such person is not fit to be at large or go unrestrained, and that if such person be permitted to remain at liberty the rights of persons and property will be jeopardized or the preservation of public peace imperiled or the commission of crime rendered probable, and that such person is a fit subject for treatment by reason of his or her mental condition, the court, or any judge thereof in vacation, may, in its or his discretion, issue an attachment for the immediate apprehension and detention, for preliminary examination, of such person in Gallinger Municipal Hospital and, unless found by the staff of Gallinger Municipal Hospital to be of sound mind, in Saint Elizabeths Hospital for a period not exceeding thirty days. Any person so apprehended and detained shall be given an examination within five days of his admission into Gallinger Municipal Hospital by the staff of Gallinger Municipal Hospital. The superintendent of Gallinger Municipal Hospital may transfer such person to Saint Elizabeths Hospital at any time within thirty days after his apprehension and detention, and shall report the fact of such transfer to the Commission on Mental Health as established by the Act of June 8, 1938 (52 Stat. 627, ch. 326), and hereinafter referred to as the Commission. The superintendent of Saint Elizabeths Hospital is hereby authorized to receive and detain persons so transferred, at the expense of the District of Columbia.

If any person while a patient in Gallinger Municipal Hospital being observed for his or her mental condition cannot be cared for or treated adequately in said hospital or if such person be in need of treatment which cannot be given properly in said hospital, then the superintendent of Gallinger Municipal Hospital may effect the transfer and temporary commitment of such person to Saint Elizabeths Hospital by executing a petition as provided by section 1 of the Act approved June 8, 1938, accompanied by the certificate of the chief psychiatrist of Gallinger Municipal Hospital setting forth that said patient is of unsound mind, cannot be cared for or treated adequately in Gallinger Municipal Hospital, should not be allowed to remain at liberty and go unrestrained, and that said patient is a fit subject for treatment in Saint Elizabeths Hospital on account of his mental condition. The superintendent of Saint Elizabeths Hospital is authorized to receive and detain any patient so transferred from Gallinger Municipal Hospital at the expense of the District of Columbia pending his formal commitment or other order of the court.

Persons arrested under the provisions of the Act of Congress approved April 27, 1904 (33 Stat. 316), shall be detained in Gallinger Municipal Hospital pending the filing of a petition as provided in section 1 of this Act. Such petition shall be filed within forty-eight hours after such person shall have been admitted into Gallinger Municipal Hospital, or, if such forty-eight-hour period shall expire on a Sunday or legal holiday, then not later than noon of the next succeeding day which is not a Sunday or legal holiday. The court, or any judge thereof in vacation, may, upon being satisfied of the sufficiency of the petition, sign an order authorizing the continued detention of said person in Gallinger Municipal Hospital and, unless found by the staff of Gallinger Municipal Hospital to be of sound mind, in Saint Elizabeths Hospital for a period not exceeding thirty days from the time of his apprehension and detention. If such petition be not filed, and such order of court obtained within the aforementioned period, the person shall be discharged forthwith. If said staff shall find that such person is of unsound mind and suitable for treatment by reason of mental illness, the superintendent of said hospital may immediately transfer such person to Saint Elizabeths Hospital, and shall report the fact of such transfer to the Commission. The superintendent of Saint Elizabeths Hospital is hereby authorized to receive and detain persons so transferred, at the expense of the District of Columbia.

If as a result of examination, the staff of Gallinger Municipal Hospital shall find that any person detained in Gallinger Municipal Hospital pursuant to the provisions of this section is of sound mind, he shall be discharged forthwith by said Gallinger Municipal Hospital, and the petition, if any, shall be dismissed.

Any petition filed in the equity court for a writ de lunatico inquirendo or for an order of commitment of any alleged insane person, shall be referred by the court to the Commission for report and recommendation within such time as the court may designate, not exceeding seven days, which time may be extended by the court for good cause shown, and in such event the period of temporary commitment in Saint Elizabeths Hospital may be extended by the court for such additional time as the court shall deem necessary. The Commission shall examine the alleged insane person and any other person, including any suggested by the alleged insane person, his relatives, friends, or representatives, whose testimony may be relevant, competent, and material upon the issue of insanity; and the Commission shall afford opportunity for hearing to any alleged insane person, his relatives, friends, or representatives. At all hearings the alleged insane person shall have the right to be represented by counsel.

The Commission is hereby authorized to conduct its examination and hearings of cases elsewhere than at the offices of said Commission in its discretion, according to the circumstances of the case.

If in the determination of the Commission he be found not to be sane, then it shall be the duty of the Commission to apply to the court for a date for a hearing. In all cases before said hearing, the said Commission shall cause to be served personally upon the patient a written notice of the time and place of final hearing at least five days before the date fixed. Five days' notice of the time and place of the hearing shall in all cases be mailed to or served upon the applicant, but in case the applicant is not the husband, wife, or nearest relative, the notice shall be mailed to or served upon the husband, wife, or nearest relative, if possible. The notice shall contain a statement that if the patient desires to oppose the application for a final order of commitment, he may appear personally or by attorney at the

Arrest and detention in Gallinger Hospital pending filing of petition.  
33 Stat. 316.  
16 D. C. Code §§ 31-36.  
Time limitation.

Order authorizing continued detention; period.

Discharge if petition not filed, etc.

Transfer to Saint Elizabeths Hospital if found of unsound mind, etc.

Report to Commission.  
Detention at expense of D. C.

Discharge, if found sane.

Reference of petition for writs by court to Commission.

Examination.

Right of counsel.

Examination, etc., elsewhere than at Commission's office.

Application by Commission to court for hearing if found not to be sane.  
Service of notice on patient and others.



Attorney, etc., to represent alleged insane person; fee.

time and place fixed for the hearing. Proof of service shall be made at the hearing. The court may in its discretion appoint an attorney or guardian ad litem to represent the alleged insane person at any hearing before the court, or before the court and jury, and shall allow the attorney or guardian ad litem so appointed a reasonable fee for his services. Such fees may be charged against the estate or property, if any, of the alleged insane person.

Jury trial.

If a demand is made for a jury trial, the superintendent of Gallinger Municipal Hospital or Saint Elizabeths Hospital shall see that the patient has been given opportunity to appear personally or by attorney at the hearing and assist him in communicating with his friends, relatives, or attorney. If the superintendent shall certify that in his opinion it would be prejudicial to the health of the patient or unsafe to produce the patient at the inquiry, then such patient shall not be required to be produced.

Procedure if hearing or jury trial demanded.

Proof of service of the required notices shall be made at the hearing.

SEC. 3. Upon the receipt of the report and recommendation of the Commission, a copy shall be served personally upon the alleged insane person, his guardian ad litem, or his attorney, if he has one, together with notice that he has five days within which to demand a jury trial. A demand for hearing by the court, or a demand for jury trial for the purpose of determining the sanity or insanity of the alleged insane person may be made by the said alleged insane person or by anyone in his behalf, or a jury trial may be ordered by the court upon its own motion. If demand be made for a jury trial, or such trial be ordered by the court on its own motion, the case shall be calendared for trial not more than ten days after demand for hearing by the court for a jury trial, unless the time is extended by the court. The Commission, or any of the members thereof, shall be competent and compellable witnesses at any trial or hearing of an alleged insane person. In any case in which a commitment at public expense, in whole or in part, is sought, the corporation counsel or one of his assistants shall represent the petitioner unless said petitioner shall be represented by counsel of his or her own choice.

Empaneling of jury.

SEC. 4. The jury to be used in lunacy inquisitions in those cases where a jury trial shall be demanded or ordered shall be empaneled, upon order of the court, from the jurors in attendance upon other branches of the District Court of the United States for the District of Columbia, who shall perform such services in addition to and as part of their duties in said court.

Procedure if no jury trial demanded.

SEC. 5. If no demand be made for a jury trial, the judge holding court shall determine the sanity or insanity of said alleged insane person, but such judge may, in his discretion, require other proofs, in addition to the petition and report of the Commission, or such judge may order the temporary commitment of said alleged insane person for observation or treatment for an additional period of not more than thirty days. The judge may, in his discretion, dismiss the petition notwithstanding the recommendation of the Commission. If the judge be satisfied that the alleged insane person is of sound mind, he shall forthwith discharge such person and dismiss the petition.

Commitment.

SEC. 6. If the judge be satisfied that the alleged insane person is insane, or if a jury shall so find, the judge may commit the insane person as he in his discretion shall find to be for the best interests of the public and of the insane person. In case of a temporary commitment, the court may make additional temporary commitments upon further examination by, and recommendation of, the Commission.

Commitment to custody of Veterans' Administration for care, etc., in certain cases.

The judge may commit the insane person to the custody of the Veterans' Administration for care and treatment in a Veterans' Administration facility, if there has been filed with the court or the Commission on Mental Health, acting under the direction of the

court, a certificate executed by the Administrator of Veterans' Affairs, or his duly authorized representative, showing said insane person to be entitled to such care and treatment, and that facilities therefor are available.

SEC. 7. Recommendations of the Commission must be made by the unanimous recommendation of the three members acting upon the case. If the three members of the Commission be unable to agree upon the recommendation to be made in any case, they shall immediately file with the court a report setting forth the fact that they are unable to agree on the case, and in that event the court shall hear and determine the case, unless the alleged insane person, or someone in his behalf, shall demand a jury trial, in which event the case shall be heard and determined by the court and a jury.

If the Commission shall agree upon a recommendation, it shall file with the court a report setting forth its findings of fact and conclusions of law and its recommendation based thereon which recommendation shall be in one of the following forms:

(A) That the person is of sound mind and should be discharged forthwith and the petition dismissed.

(B) That the mental condition of the alleged insane person is such that a definite diagnosis cannot be made without further study, or that the mental incapacity of said person will probably be of short duration, and that said person should be further detained and committed in Saint Elizabeths Hospital as hereinbefore provided for, or in any other hospital in the District of Columbia as provided in the Act approved April 27, 1904, for further observation or treatment for such period of time as the court may determine, during which said time the Commission shall from time to time examine said person and make a recommendation to the court as to the final disposition of the case.

(C) That the person is of unsound mind and (1) should be committed to Saint Elizabeths Hospital, or any other hospital provided by section 4 of the Act approved April 27, 1904, (a) at public expense, or (b) at the expense of those persons who are required by law, or who will agree to pay for the maintenance and treatment of said insane person, or (c) that the relatives of said insane person, mentioned in section 11 of this Act are able to pay a specified sum per month toward the support and maintenance of said insane person; (2) is harmless and may safely be committed to the care of his relatives or friends (naming them) who are willing to accept the custody, care, and maintenance of said insane person under conditions specified by the Commission; (3) should be committed to the Administrator of Veterans' Affairs for care and treatment in a Veterans' Administration facility: *Provided*, That there shall be filed with the court or Commission a certificate executed by said Administrator or his duly authorized representative, showing said person is entitled to such care and treatment and that facilities therefor are available.

SEC. 8. If an insane person be found by the Commission, subject to the review of the court, not to be a resident of the District of Columbia, he may be committed by the court to Saint Elizabeths Hospital as a District of Columbia patient until such time as his residence shall have been ascertained. Upon the ascertainment of such insane person's residence in some other jurisdiction, he shall be transferred to the State of such residence. The expense of transferring such patient, including the traveling expenses of necessary attendants to insure his safe transfer, shall be borne by the District of Columbia only if the patient be indigent.

Any insane person found by the Commission to have been a resident of the District of Columbia for more than one year prior to the filing of the petition, and any person found within the District

Recommendations of the Commission.

Court proceeding in event of disagreement.

Jury trial if demanded.

Findings and recommendation to be filed with the court.

Forms.

Person of sound mind, etc.

Further study necessary.

Mental incapacity probably of short duration; temporary detention, etc.

33 Stat. 316.  
16 D. C. Code §§ 31-36.

Of unsound mind and should be committed.

33 Stat. 317.  
16 D. C. Code § 34.

Harmless and may be committed to care of relatives, etc.

Should be committed for care in Veterans' Administration facility.

*Provided*,  
Certificate to be filed.

Nonresident insane.

Resident, etc., insane.

of Columbia whose residence cannot be ascertained, who is not in confinement on a criminal charge, may be committed by the court to, and confined in, said Saint Elizabeths Hospital, or any other hospital in said District, which, in the judgment of the Commission of said District, is properly constructed and equipped for the reception and care of such persons, and the official in charge of which, for the time being, is willing to receive such persons.

"Resident of the District of Columbia" defined.

"Resident of the District of Columbia", as used in this section, means a person who has maintained his principal place of abode in the District of Columbia for more than one year prior to the filing of the petition provided for in section 1 of this Act.

Placing of harmless insane in care of relatives.

If it appears that a person found to be insane is harmless and his or her relatives or committee of his or her person are willing and able properly to care for such insane person at some place or institution other than Saint Elizabeths Hospital, the judge may order that such insane person be placed in the care and custody of such relatives or such committee upon their entering into an undertaking to provide for such insane person as the court may direct.

Liability of relatives for cost of maintenance and treatment.

SEC. 9. The father, mother, husband, wife, and adult children of an insane person, if of sufficient ability, and the committee or guardian of his or her person and estate, if his or her estate is sufficient for the purpose, shall pay the cost to the District of Columbia of his or her maintenance, including treatment in Saint Elizabeths Hospital or in any other hospital to which the insane person may be committed. It shall be the further duty of said Commission, to examine under oath, the father, mother, husband, wife, adult children, and committee, if any, of any alleged insane person whenever such relatives live within the District of Columbia, and to ascertain the ability of such relatives or committee, if any, to maintain or contribute toward the maintenance of such alleged insane person: *Provided*, That in no case shall said relatives or committee be required to pay more than the actual cost to the District of Columbia of maintenance of such alleged insane person.

Ascertainment of ability to pay.

*Proviso.*  
Limitation.

Court procedure in event of nonpayment.

If any person hereinabove made liable for the maintenance of an insane person shall fail so to provide or pay for such maintenance, the court shall issue to such person a citation to show cause why he should not be adjudged to pay a portion or all of the expenses of maintenance of such patient. The citation shall be served at least ten days before the hearing thereon. If, upon such hearing, it shall appear to the court that the insane person has not sufficient estate out of which his maintenance may properly be fully met and that he has relatives of the degrees hereinabove mentioned who are parties to the proceedings, and who are able to contribute thereto, the court may make an order requiring payment by such relatives of such sum or sums as it may find they are reasonably able to pay and as may be necessary to provide for the maintenance of such insane person. Said order shall require the payment of such sums to the Board of Public Welfare annually, semiannually, or quarterly as the court may direct. It shall be the duty of the Board to collect the said sums due under this section, and to turn the same into the Treasury of the United States to the credit of the District of Columbia. Any such order may be enforced against any property of the insane person or of the person liable or undertaking to maintain him in the same way as if it were an order for temporary alimony in a divorce case.

Citation, hearing, etc.  
Court action.

Collections.

Enforcement against property of insane person or person liable.

Released or paroled patients.  
Hearings to determine sanity, etc.

SEC. 10. Any insane person who has been committed to Saint Elizabeths Hospital or any other hospital, and who shall have been released from such hospital as improved, or who shall have been paroled from such hospital (but who shall not have been discharged as cured), and who shall have been absent from the hospital on release or parole

for a period of six months or longer, shall have the right to appear before the District Court of the United States for the District of Columbia for a hearing to determine the sanity and right to restoration to the status of a person of sound mind of said insane person by filing a petition therefor with the court upon a form to be provided by the Commission for that purpose. It shall be the duty of the Commission to make an examination of the records of Saint Elizabeths Hospital of the insane person as may be necessary to determine such questions, and if necessary have the person examined by the members of the staff of Saint Elizabeths Hospital and to make a report and recommendation to the court. In the event the Commission shall find from the records and examination that the said person is of sound mind and shall recommend to the court the restoration of said person to the status of a person of sound mind such recommendation shall be sufficient to authorize the court to enter an order declaring such person to be restored to his or her former legal status as a person of sound mind. In the event the Commission shall find such person to be of unsound mind, it shall report that finding to the court. Upon the filing by the Commission of a report finding such person to be of unsound mind, the insane person shall have the right to a hearing by the court or by the court and a jury. For the purpose of making the examination and observations required by this section, the Commission shall have the right to examine the records and to interrogate the physicians and attendants at Saint Elizabeths Hospital or any other hospital in which such patient shall have been confined, who have had the insane person under their care, and the Commission may recommend to the court the temporary recommitment of such person for said purpose. At such trial by the court or by the court and jury, an adjudication shall be made as to whether the person is of sound mind or is still of unsound mind.

SEC. 11. The same fees and mileage as are paid in the courts of the United States shall be paid in the case of witnesses subpoenaed under the provisions of this Act.

SEC. 12. The court in its discretion may require the petitioner to file an undertaking with surety to be approved by the court in such amount as the court may deem proper, conditioned to save harmless the respondent by reason of costs incurred, including attorneys' fees, if any, and damages suffered by the respondent as a result of any such action.

SEC. 13. All applications and certificates for commitment and confinement of any patient to any hospital in the District of Columbia for the care and the treatment of the insane must be made on forms approved by the Commission and furnished by it.

SEC. 14. Any person who executes a verified petition or affidavit as provided in this Act, by which he or she secures or attempts to secure the apprehension, detention, or restraint of any other person in the District of Columbia without probable cause for believing such person to be insane or of unsound mind, or any physician who knowingly makes any false certificate or affidavit as to the sanity or insanity of any other person, shall, upon conviction thereof, be fined not more than \$500 or imprisoned not more than three years, or both.

SEC. 15. Nothing contained in this Act shall deprive the alleged insane person of the benefit of existing remedies to secure his release or to prove his sanity, or of any other legal remedies he may have.

SEC. 16. Section 2 of the Act approved June 8, 1938, is hereby amended by deleting the words "for such service the alternate shall receive \$10 for each day of actual service" and inserting in lieu thereof the following: "For such service the alternate shall receive, for each day of actual service, the same compensation as fixed in

Examination of designated records by Commission.

Effect of finding person to be of sound mind.

If found to be of unsound mind.

Right to hearing.

Adjudication.

Witness fees and mileage.

Petitioner may be required to file undertaking with surety.

Use of prescribed forms.

Penalty provisions.

Legal remedies not denied.

Alternate lawyer member of Commission, compensation.  
52 Stat. 625.  
16 D. C. Code, Supp. IV, § 42.

5 U. S. C. §§ 661-674; Supp. IV, §§ 673, 673c.  
 Repeal of conflicting Acts, etc.

Severability of provisions.

accordance with the provisions of the Classification Act of 1923, as amended, for the lawyer member of the Commission".

SEC. 17. All Acts or parts of Acts in conflict herewith are hereby repealed.

SEC. 18. If any provision of this Act or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are declared to be severable.

Approved, August 9, 1939.

#### [CHAPTER 621]

#### AN ACT

To provide a right-of-way.

August 9, 1939

[H. R. 4784]

[Public, No. 360]

Fort Mifflin Military Reservation, Pa.

Atlantic Refining Company, right-of-way for pipe lines over.

Provisos.  
 Condition.

Federal rights reserved.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War be, and he is hereby, authorized and empowered, under such terms and conditions as are deemed advisable by him, to grant to the Atlantic Refining Company, its successors and/or assigns, an easement for the right-of-way for oil-pipe lines over, across, in, and upon the Fort Mifflin Military Reservation, in the State of Pennsylvania: *Provided*, That such right-of-way shall be granted only upon a finding by the Secretary of War that the same will be in the public interest and will not substantially injure the interest of the United States in the property affected thereby: *Provided further*, That all or any part of such right-of-way may be annulled and forfeited by the Secretary of War if the property is needed for governmental purposes or for failure to comply with the terms or conditions of any grant hereunder, or for nonuse or for abandonment of rights granted under authority hereof.

Approved, August 9, 1939.

#### [CHAPTER 622]

#### JOINT RESOLUTION

Authorizing the selection of a site and the erection thereon of the Columbian Fountain in Washington, District of Columbia.

August 9, 1939

[H. J. Res. 159]

[Pub. Res., No. 46]

Columbian Fountain, D. C.  
 Authority granted for selection of site and erection of.

Areas excluded.

Submission of plans, etc., for advisory assistance.

Direction of construction.  
*Proviso.*  
 No Federal expense.

Revocation if funds insufficient to insure completion.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That authority is hereby granted to any association organized within two years from date of approval of this joint resolution for that purpose to erect the Columbian Fountain on an appropriate site on grounds now owned by the United States in the District of Columbia other than those of the Capitol, the Library of Congress, the Mall, or the Tidal Basin area. The location of said fountain and the plan for the development of the site shall be submitted to the Commission of Fine Arts and the National Capital Park and Planning Commission for advisory assistance and the construction shall be under the direction of the Director of the National Park Service, Department of the Interior: *Provided*, That the United States shall be put to no expense in or by the erection of said fountain and that unless funds, which in the estimation of the Secretary of the Interior are sufficient to insure the completion of the fountain, are certified available, and the erection of this fountain begun within five years from and after the passage of this joint resolution, the authorization hereby granted is revoked.

Approved, August 9, 1939.

## [CHAPTER 633]

## AN ACT

Making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1939, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1939, and June 30, 1940, and for other purposes.

August 9, 1939  
[H. R. 7462]  
[Public, No. 361]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1939, and for prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1939, and June 30, 1940, and for other purposes, namely:

Third Deficiency  
Appropriation Act,  
fiscal year 1939.

## TITLE I—GENERAL APPROPRIATIONS

## LEGISLATIVE

## SENATE

Clerical assistants to Senators: Ninety-six additional clerks at \$1,800 per annum each, one for each Senator (in lieu of the assistant clerks now authorized by S. Res. 144, agreed to August 15, 1935, which resolution is repealed as of January 1, 1940) for the period January 1, 1940 to June 30, 1940, \$86,400.

Clerical assistants  
to Senators.  
*Ante*, p. 1080.

Ninety-six additional clerks at \$1,500 per annum each, one for each Senator, for the period January 1, 1940 to June 30, 1940, \$72,000.

Twenty-four additional clerks at \$1,500 per annum each, one for each Senator from each State which has a population of three million or more inhabitants, for the period January 1, 1940 to June 30, 1940, \$18,000.

Office of Sergeant at Arms and Doorkeeper: For an amount required to increase the compensation of the clerk to the Secretary of the Majority and the clerk to the Secretary of the Minority \$480 each per annum, fiscal year 1940, \$960.

Office of Sergeant at  
Arms and Door-  
keeper.

For twenty-one pages for the Senate Chamber at the rate of \$4 each per day during the month of August 1939, \$2,604.

Pages.

Contingent expenses: For miscellaneous items, exclusive of labor, fiscal year 1939, \$30,000.

Contingent expen-  
ses.

## HOUSE OF REPRESENTATIVES

For payment to the widow of Harry Wilbur Griswold, late a Representative from the State of Wisconsin, \$10,000.

Harry Wilbur Gris-  
wold.  
Payment to widow.  
Emmett Marshall  
Owen.  
Payment to children.

For payment to E. M. Owen, Junior, and Mrs. H. B. Floyd, children of Emmett Marshall Owen, late a Representative from the State of Georgia, \$5,000 each; in all, \$10,000.

For payment to the widow of Sam D. McReynolds, late a Representative from the State of Tennessee, \$10,000.

Sam D. McReyn-  
olds.  
Payment to widow.

The three foregoing sums to be disbursed by the Sergeant at Arms of the House of Representatives.

Office of Doorkeeper: For forty-seven pages, including ten pages for duty at the entrances to the Hall of the House, at \$4 each per day during the month of August 1939, \$5,828.

Office of Door-  
keeper.

## CLERK HIRE, MEMBERS AND DELEGATES

The appropriation for "Clerk Hire, Members, Delegates, and the Resident Commissioner from Puerto Rico" contained in the Legislative Branch Appropriation Act, 1940, is hereby made available toward the payment of clerk hire as authorized by sections 1 and 3 of

Funds made avail-  
able.

*Ante*, p. 829.

*Ante*, p. 1080.

the Act entitled "An Act to provide for additional clerk hire in the House of Representatives and for other purposes", approved July 25, 1939; and in addition thereto there is hereby appropriated for such purposes the sum of \$328,500 for the fiscal year 1940.

#### CONTINGENT EXPENSES OF THE HOUSE

Special and select committees.

For expenses of special and select committees authorized by the House, fiscal year 1940, \$165,000.

D. C. Code.

45 Stat. 1007.

1 U. S. C. ch. 3.

For preparing and editing a new edition of the Code of the District of Columbia, as authorized and directed by law (1 U. S. C., ch. 3), fiscal years 1940 and 1941, \$32,500.

#### ARCHITECT OF THE CAPITOL

Capitol buildings.

Capitol buildings: For an additional amount for the Capitol buildings, including the same objects specified under this head in the Legislative Branch Appropriation Act, 1940, \$3,000.

*Ante*, p. 832.

#### GOVERNMENT PRINTING OFFICE

Payment to designated messengers.

*Ante*, p. 837.

For payment to Preston L. George, William S. Houston, John G. Nalley, and William H. Wannall, messengers on night duty during the first session of the Seventy-sixth Congress, \$900 each; in all, \$3,600, to be paid from the appropriation for printing and binding for Congress for the fiscal year 1940.

Salaries, Office of Superintendent of Documents.

5 U. S. C. §§ 661-674; Supp. IV, §§ 673, 673c.

*Ante*, p. 838.

Salaries, Office of Superintendent of Documents: For an additional amount for the fiscal year 1940, for the Superintendent of Documents, Assistant Superintendent, and other personal services in accordance with the Classification Act of 1923, as amended, including the same objects specified under this head in the Legislative Branch Appropriation Act, 1940, \$35,000.

### EXECUTIVE

#### INDEPENDENT ESTABLISHMENTS

##### CIVIL AERONAUTICS AUTHORITY

Salaries and expenses.

*Ante*, p. 526.

*Proviso.*  
Cost, etc., of emergency food supplies consumed.

Civilian pilot training.

*Ante*, p. 855.

*Proviso.*  
Transfer to appropriation for salaries and expenses.

Salaries and expenses: For an additional amount for salaries and expenses, Civil Aeronautics Authority, to provide, in addition to the objects specified in the appropriation for this purpose in the Independent Offices Appropriation Act, 1940, for necessary food supplies (not to exceed \$2,500) for storage at isolated stations for emergency use, fiscal year 1940, \$300,000: *Provided*, That the cost of such supplies consumed shall be collected from the employees by whom consumed and deposited in miscellaneous receipts.

Civilian pilot training: For all necessary expenses of the Civil Aeronautics Authority during the fiscal year 1940 in carrying out the duties, powers, and functions devolving upon it pursuant to the authority contained in the Civilian Pilot Training Act of 1939 (Public, Numbered 153, approved June 27, 1939), including personal services and rentals in the District of Columbia and elsewhere; traveling expenses; purchase and exchange, operation, maintenance, repair, and overhaul of aircraft; purchase and exchange, hire, maintenance, repair, and operation of passenger-carrying automobiles; purchase and exchange of professional and scientific books, books of reference, atlases, maps, and periodicals; in all, \$4,000,000: *Provided*, That not to exceed \$140,000 of this amount may be transferred to the appropriation "Salaries and Expenses, Civil Aeronautics Authority, 1940", for expenditure in connection with payment of salaries and travel of aeronautical inspectors engaged in supervision and promotion of the safety features of the civilian pilot training program.

## COUNCIL OF PERSONNEL ADMINISTRATION

Salaries and expenses: For every expenditure requisite for and incident to the work of the Council of Personnel Administration, created by section 7 of Executive Order Numbered 7916, dated June 24, 1938, including personal services in the District of Columbia; traveling expenses; printing and binding; and the payment of actual transportation expenses and not to exceed \$10 per diem in lieu of subsistence and other expenses of persons serving while away from their homes, without other compensation from the United States, in an advisory capacity to the Council, fiscal year 1940, \$22,700.

Salaries and expenses.

Printing and binding.

## FEDERAL LOAN AGENCY

## FEDERAL HOUSING ADMINISTRATION

Administrative expenses: In addition to the funds made available to the Federal Housing Administration for administrative expenses by the Independent Offices Appropriation Act, 1940, not to exceed \$450,000 of the mutual mortgage insurance fund and \$850,000 from the account in the Treasury comprised of funds derived from premiums collected under authority of section 2 (f), title I, of the National Housing Act, as amended by the Act of June 3, 1939, are hereby made available for administrative expenses of said Administration for the fiscal year 1940, including the same objects specified under this head in the Independent Offices Appropriation Act, 1940.

Administrative expenses.  
Funds made available.  
*Ante*, p. 547.

*Ante*, p. 805.

The first proviso clause in the appropriation for administrative expenses of the Federal Housing Administration contained in the Independent Offices Appropriation Act, 1940, is hereby amended to read as follows: "Provided, That all necessary expenses of the Administration (including services performed on a contract or fee basis, but not including other personal services) in connection with the acquisition, protection, operation, maintenance, improvement, or disposition of real or personal property of the Administration acquired under authority of title II of said National Housing Act, shall be considered as nonadministrative expenses for the purposes hereof, and shall be paid from the mutual mortgage insurance fund or the housing insurance fund as provided in title II of said National Housing Act.

Nonadministrative expenses, payment.  
*Ante*, p. 547.

52 Stat. 9.  
12 U. S. C., Supp.  
IV, §§ 1707-1715b.  
*Ante*, p. 805.

Renovation and modernization loans and insurance fund: The funds of the Reconstruction Finance Corporation made available by the Independent Offices Appropriation Act, 1940, for the payment of losses under insurance granted under section 2, title I, of the National Housing Act of June 27, 1934, as amended, are hereby made available also for losses under insurance granted under section 6, title I, of said Act.

Renovation and modernization loans and insurance fund.  
*Ante*, p. 548.  
48 Stat. 1246.  
12 U. S. C., § 1703; Supp. IV, § 1703.  
49 Stat. 1233.  
12 U. S. C., Supp. IV, § 1706a.  
*Ante*, p. 805.

## FEDERAL SECURITY AGENCY

## CIVILIAN CONSERVATION CORPS

The limitation of \$286,301 upon the amount that may be expended for salaries and expenses of the office of the Director of the Civilian Conservation Corps from the appropriation for such corps contained in the Independent Offices Appropriation Act, 1940, is hereby increased to \$328,301.

Office of the Director.  
Limitation on salaries and expenses.

*Ante*, p. 529.

## PUBLIC HEALTH SERVICE

Grants to States for public health work: For an additional amount for the purpose of assisting States, counties, health districts, and other political subdivisions of the States in establishing and maintaining adequate public health services, including the same objects

Grants to States for public health work.



*Ante*, p. 669.

*Proviso.*  
*Condition.*

*Post*, p. 1381.

Disease and sanitation investigations.  
49 Stat. 635.  
42 U. S. C., Supp. IV, § 803.  
37 Stat. 309.  
42 U. S. C. § 7.  
*Ante*, p. 669.

*Proviso.*  
*Condition.*

*Post*, p. 1381.

National Institute of Health, maintenance.  
*Ante*, p. 667.

Claims for damages, operation of vessels.

49 Stat. 1514.  
14 U. S. C., Supp. IV, § 71.

Salaries and expenses.

*Ante*, p. 540.  
*Provisos.*  
Death of individuals entitled to benefits, etc.

*Post*, p. 1362.

R. S. § 3709.  
41 U. S. C. § 5.

Reimbursement for official travel.

*Condition.*

*Post*, p. 1362.

Grants to States for unemployment - compensation administration.

49 Stat. 626; *post*, p. 1378.  
42 U. S. C., Supp. IV, §§ 501-503.

specified under this head in the Treasury Department Appropriation Act 1940, \$1,500,000: *Provided*, That the amount specified herein shall not be available for expenditure unless and until the increased authorization for grants to States for the purposes of section 601 of the Social Security Act, contained in H. R. 6635, Seventy-sixth Congress, is enacted into law.

Disease and sanitation investigations: For an additional amount for carrying out the purposes of section 603 of the Social Security Act and section 1 of the Act of August 14, 1912, including the same objects and subject to the same limitations specified under this head in the Treasury Department Appropriation Act 1940, and including the pay and allowances of not to exceed five additional regular active commissioned officers, \$40,000: *Provided*, That the amount specified herein shall not be available for expenditure unless and until the increased authorization for grants to States for purposes of section 601 of the Social Security Act, contained in H. R. 6635, Seventy-sixth Congress, is enacted into law.

National Institute of Health, maintenance: For an additional amount for maintaining the National Institute of Health, fiscal year 1940, for the purchase of furniture, furnishings, and equipment for quarters of officers and other employees, \$12,000.

Claims for damages, operation of vessels, Public Health Service: To pay claims for damages adjusted and determined by the Surgeon General, Public Health Service, under the provisions of the Act entitled, "An Act to provide for the adjustment and settlement of certain claims for damages resulting from the operation of vessels of the Coast Guard and the Public Health Service, in sums not exceeding \$3,000 in any one case", approved June 15, 1936, as fully set forth in House Document Numbered 411, Seventy-sixth Congress, \$150.

#### SOCIAL SECURITY BOARD

Salaries and expenses: For an additional amount for Salaries and Expenses, Social Security Board, fiscal year 1940, including the same objects and subject to the same limitations specified under this head in the Independent Offices Appropriation Act, 1940, \$1,750,000: *Provided*, That the Board may expend not to exceed \$100,000 of the sums appropriated for the procurement of information relating to the death of individuals entitled to benefits, receiving benefits, or upon whose death some other individual may become entitled to benefits, under title II of the Social Security Act, as amended, from proper State and local officials, including officials of the District of Columbia, Alaska, and Hawaii, without regard to Section 3709 of the Revised Statutes (41 U. S. C. 5): *Provided further*, That employees of the Bureau of Old-age Insurance when engaged in the investigation of claims or the furnishing or securing of information concerning claims or wage records under title II of the Social Security Act, as amended, may be reimbursed for official travel performed by them in privately owned automobiles within the corporate limits of their official stations at a rate not to exceed three cents per mile: *Provided further*, That the amount specified herein shall not be available unless and until the amendments to title II of the Social Security Act contained in H. R. 6635, Seventy-sixth Congress, are enacted into law.

Grants to States for unemployment-compensation administration: For an additional amount for grants to States for unemployment compensation administration, as authorized in title III of the Social Security Act, approved August 14, 1935, as amended, including rentals in the District of Columbia and elsewhere, fiscal year 1940, \$12,500,000.

## FEDERAL WORKS AGENCY

## PUBLIC BUILDINGS ADMINISTRATION

Great Plaza Development, Triangle, Washington, District of Columbia: For the preparation, for location thereon of the Oscar S. Straus Memorial authorized by the Act of March 2, 1929 (45 Stat. 1540), of a portion of the Great Plaza, including necessary drainage and administrative expenses, fiscal year 1940, to remain available until expended, \$7,250.

Great Plaza Development, Triangle, D. C.  
Oscar S. Straus Memorial.  
45 Stat. 1540.

The item "Procurement Division, Public Buildings Branch, Construction of Public Buildings outside the District of Columbia", in the Treasury Department Appropriation Act of 1940, is hereby amended to increase the limits of cost to the amounts indicated after each of the hereinafter-mentioned projects contained in House Document Numbered 177, Seventy-sixth Congress: Tempe, Arizona, post office, and so forth, \$160,000; Antioch, California, post office, \$98,000; Bellflower, California, post office, \$125,000; Chicago, Illinois (Jackson Park Postal Station), \$350,000; Ellicott City, Maryland, post office, and so forth, \$117,000; Hamilton, Montana, post office, and so forth, \$100,000; Hamlet, North Carolina, post office, and so forth, \$90,000.

Construction of public buildings outside D. C.  
*Ante*, p. 672.

Limits of cost of designated projects increased.

## PUBLIC ROADS ADMINISTRATION

Inter-American Highway: For the continuation of cooperation with the several governments, members of the Pan American Union, in connection with the survey and construction of the inter-American highway as provided in Public Resolution Numbered 104, approved March 4, 1929 (45 Stat. 1697), as amended or supplemented, and for performing engineering service in pan-American countries for and upon the request of any agency or governmental corporation of the United States, the Public Roads Administration is hereby authorized to expend not to exceed \$40,000 to pay all costs incurred for such work from the administrative funds provided under the Act of July 11, 1916 (23 U. S. C. 21), as amended or supplemented, or as otherwise provided.

Inter-American Highway.

45 Stat. 1697.  
Engineering service.

42 Stat. 217.  
23 U. S. C. § 21.

## GENERAL ANTHONY WAYNE MEMORIAL COMMISSION

For carrying out the provisions of the public resolution entitled "Joint resolution to establish the General Anthony Wayne Memorial Commission to formulate plans for the construction of a permanent memorial to the memory of General Anthony Wayne", approved August 19, 1937, fiscal year 1940, to be available for obligations theretofore incurred, \$1,500.

Formulation of plans, etc.

50 Stat. 695.

## INTERSTATE COMMERCE COMMISSION

General administrative expenses, Interstate Commerce Commission: For an additional amount for eleven Commissioners, Secretary, and for all other authorized expenditures necessary in the execution of laws to regulate commerce, including the same objects specified under this head in the Independent Offices Appropriation Act, 1940, \$40,000: *Provided*, That the limitation under this head in such Act upon the amount that may be expended for personal services in the District of Columbia is hereby increased to \$2,368,000.

Administrative expenses.

*Ante*, p. 533.

*Proviso*.  
Personal services.

## ONE HUNDRED AND TWENTY-FIFTH ANNIVERSARY OF THE WRITING OF THE STAR-SPANGLED BANNER

To provide for participation by the United States in the celebration to be held at Fort McHenry on September 14, 1939, in celebra-

Participation by U. S.

*Ante*, p. 1214.

tion of the one hundred and twenty-fifth anniversary of the writing of the Star-Spangled Banner as authorized by Public Resolution Numbered , approved August , 1939, fiscal year 1940, \$5,000.

#### NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

Scientific research,  
etc.

**Advisory Committee for Aeronautics:** For an additional amount for scientific research, technical investigations, and special reports in the field of aeronautics, fiscal year 1940, including the same objects and under the same limitations specified in the Independent Offices Appropriation Act, 1940, \$109,020.

*Ante*, p. 535.

Additional research  
laboratory, construc-  
tion and equipment.  
*Provisos.*  
Selection of site.

**Construction and equipment:** For construction and equipment of an additional research laboratory, \$1,890,980, including the purchase of land and necessary utilities and appurtenances: *Provided*, That such additional laboratory shall be established upon such site as may be chosen by a majority of the members of the National Advisory Committee for Aeronautics from among such sites as may be brought to the attention of such Committee within thirty days after the approval of this Act: *Provided further*, That the National Advisory Committee for Aeronautics is authorized to enter into a contract or contracts for the construction and equipment of such additional laboratory at a total cost, including the cost of any land it may be necessary to purchase, not to exceed \$10,000,000.

Contract for con-  
struction, etc.; limita-  
tion.

#### NATIONAL CAPITAL PARK AND PLANNING COMMISSION

George Washington  
Memorial Parkway,  
etc.

*Ante*, p. 536.

For an additional amount for each and every purpose requisite for and incident to the work of the National Capital Park and Planning Commission necessary toward carrying into effect the provisions of the Act entitled "An Act for the acquisition, establishment, and development of the George Washington Memorial Parkway along the Potomac from Mount Vernon and Fort Washington to the Great Falls, and to provide for the acquisition of lands in the District of Columbia and the States of Maryland and Virginia requisite to the comprehensive park, parkway, and playground system of the National Capital", approved May 29, 1930; personal services, including real estate and other technical services, at rates of pay to be fixed by the Commission and not exceeding those usual for similar services and without reference to civil-service rules and the Classification Act of 1923, as amended; travel expenses; expenses of surveys and searching of titles, purchase of options, and all other costs incident to the acquisition of land; operation and maintenance of passenger-carrying vehicles for official use; fiscal year 1940, \$150,000, to be expended in carrying out the provisions of section 1 (a) of said Act, and to remain available until expended.

46 Stat. 482.

5 U. S. C. §§ 661-674;  
Supp. IV, §§ 673, 673c.

#### SECURITIES AND EXCHANGE COMMISSION

Personal services.

For an additional amount for five Commissioners and other personal services in the District of Columbia, and for all other authorized expenditures of the Securities and Exchange Commission in performing the duties imposed by or in pursuance of law, including the employment of experts when necessary, fiscal year 1940, \$100,000, including the same objects specified under this head in the Independent Offices Appropriation Act, 1940: *Provided*, That no part of such sum shall be available for the conduct of a foreign office.

*Ante*, p. 539.

*Proviso.*  
Funds not available  
for conduct of foreign  
office.

#### SMITHSONIAN INSTITUTION

Electric system.

**Installation of alternating current electric system:** For changing the electric system of the Smithsonian group of buildings in the District of Columbia from direct current to alternating current, includ-

ing feeders, switches, transformer vaults, switchboards, panel boards, motors, and other requisite equipment, fiscal year 1940, \$270,000.

#### UNITED STATES CORONADO EXPOSITION COMMISSION

For all expenses necessary to carry out the provisions of the Act entitled "An Act authorizing Federal participation in the commemoration and observance of the four-hundredth anniversary of the explorations of Francisco Vasquez de Coronado", approved July 17, 1939, including personal services in the District of Columbia and elsewhere without reference to the Classification Act of 1923, as amended, and printing and binding, \$200,000, to remain available until expended.

Expenses.

*Ante*, p. 1047.

Personal services.

5 U. S. C. §§ 661-674; Supp. IV, §§ 673, 673c.  
Printing and binding.

#### UNITED STATES CONSTITUTION SESQUICENTENNIAL COMMISSION

To complete the compilation and publication of a history of the formation, signing, ratification, and establishment of the Constitution, including such historical facts and data as the Commission may deem pertinent relative to the commencement of the First Congress of the United States under the Constitution; the proceedings and ceremonies in connection with the inauguration of George Washington as the first President of the United States under the Constitution; the adoption and ratification of the Bill of Rights, and the first meeting of the Supreme Court of the United States; including therein also a final report of the activities of the Commission during the Nation-wide observance of the one hundred and fiftieth anniversary of the formation, ratification, and establishment of the Constitution, fiscal year 1940, \$15,000, of which not to exceed \$5,000 shall be available exclusively for personal services.

History of Constitution, etc., compilation and publication.

Final report of Commission's activities.

#### DISTRICT OF COLUMBIA

##### EXECUTIVE OFFICE

Commission on Mental Health, District of Columbia: For the payment of fees of attorneys appointed by the court to represent alleged insane persons who are indigent, fiscal year 1939, \$175.

Commission on Mental Health, D. C.

##### ASSESSOR'S OFFICE

For an additional amount for personal services, to be available for services rendered commencing with July 1, 1939, fiscal year 1940, \$47,260.

Personal services.

##### BOARD OF TAX APPEALS

For an additional amount for personal services in accordance with title IX of the Act entitled "An Act to amend the District of Columbia Revenue Act of 1937, and for other purposes", approved May 16, 1938, as amended, fiscal year 1940, \$500.

Personal services.

52 Stat. 371; *ante*, p. 1108.  
20 D. C. Code, Supp. IV, § 973.

##### MUNICIPAL ARCHITECT'S OFFICE

For an additional amount for the purchase of land, being lots numbered 31 and 32, in square 175, adjacent to the District of Columbia repair shop, to afford additional shop facilities, housing for automobile trucks, and storage for tools and building materials for the District of Columbia repair shop, fiscal year 1937, \$8.33.

Purchase of land.

##### CONTINGENT AND MISCELLANEOUS EXPENSES

Contingent expenses: For an additional amount for checks, books, lawbooks, books of reference, periodicals, newspapers, stationery; surveying instruments and implements; drawing materials; binding,

Contingent expenses.

	rebinding, repairing, and preservation of records; ice; including the same objects and under the same conditions and limitations specified in the appropriation for this purpose in the District of Columbia Appropriation Act, fiscal year 1940, \$1,500.
<i>Ante</i> , p. 1008. Postage, 1940. <i>Ante</i> , p. 1008.	Postage: For an additional amount for postage for strictly official mail matter, including the rental of postage-meter equipment, fiscal year 1940, \$2,500.
Postage, 1938.	Postage: For an additional amount for postage for strictly official mail matter, including the rental of postage-meter equipment, fiscal year 1938, \$59.50.
General advertising.	General advertising: For an additional amount for the fiscal year 1938 for general advertising, including the same objects and under the same limitation specified in the appropriation for this purpose in the District of Columbia Appropriation Act, fiscal year 1938, \$2,195.20.
50 Stat. 363.	
Printing and binding.	Printing and binding: For an additional amount for printing and binding under the same limitations and conditions applicable to the appropriation for this purpose in the District of Columbia Appropriation Acts for the following fiscal years:
49 Stat. 1859.	For 1937, \$59.38;
50 Stat. 364.	For 1938, \$307.93;
<i>Ante</i> , p. 1009.	For 1940, \$1,900.

## REFUND OF ERRONEOUS COLLECTIONS

Refund of taxes.	Not to exceed \$140.82 of the unexpended balance of the appropriation of \$100,000 for refunding taxes contained in the District of Columbia Appropriation Act for the fiscal year 1938 is hereby made available for the same purposes during the fiscal year 1940.
50 Stat. 365.	

## PUBLIC SCHOOLS

Salaries.	Salaries: For an additional amount for the fiscal year 1940 for personal services of teachers and librarians, including the same objects and under the same limitations and conditions specified in the appropriation for this purpose in the District of Columbia Appropriation Act, fiscal year 1940, \$4,900.
<i>Ante</i> , p. 1013.	

## HEALTH DEPARTMENT

Medical charities.	Medical charities: For an additional amount for care and treatment of indigent patients under contracts made by the health officer of the District of Columbia and approved by the Commissioners with the following institutions, respectively:
Children's Hospital.	Children's Hospital, fiscal year 1938, \$13,553.12;
Eastern Dispensary and Casualty Hospital.	Eastern Dispensary and Casualty Hospital, fiscal year 1938, \$9,787.25.

## COURTS

## POLICE COURT

Witness fees, etc.	Witness fees: For an additional amount for witness fees and compensation of jurors, fiscal year 1938, \$3,807.
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## DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF COLUMBIA

Pay of bailiffs, etc.	Pay of bailiffs, and so forth: For an additional amount for the fiscal year 1938 for pay of bailiffs, and so forth, District Court of the United States, District of Columbia, including the same objects and under the same limitations specified under this head in the District of Columbia Appropriation Act, fiscal year 1938, \$87.49.
50 Stat. 378.	

## COURT OF APPEALS

For eleven copies each of volumes 65 and 67 of the Reports of the United States Court of Appeals for the District of Columbia, authorized to be furnished under title 18, section 31, page 161, of the Code of Law of the District of Columbia, at \$6.50 each, fiscal year 1938, \$143.

Reports of U. S. Court of Appeals for D. C.

18 D. C. Code § 31; Supp. IV, § 31.

## MISCELLANEOUS, COURTS

Writs of lunacy: For an additional amount for expenses attending the execution of writs de lunatico inquirendo and commitments thereunder in all cases of indigent insane persons committed or sought to be committed to Saint Elizabeths Hospital by order of the executive authority of the District of Columbia under the provisions of existing law, and expenses of commitments to the District Training School, for the following fiscal years:

Writs of lunacy.

For 1937, \$5;

For 1938, \$155.

Printing and binding: For an additional amount for printing and binding for the District Court of the United States for the District of Columbia, except records and briefs in cases in which the United States is a party, fiscal year 1938, \$228.19.

Printing and binding.

## PUBLIC WELFARE

## DIVISION OF CHILD WELFARE

Board and care of children: For an additional amount for the fiscal year 1939 for board and care of all children committed to the guardianship of the Board of Public Welfare by the courts of the District of Columbia, including the same objects and under the same limitations and conditions specified in the appropriation for this purpose in the District of Columbia Appropriation Act, fiscal year 1939, \$15,394.

Board and care of children.

52 Stat. 177.

## NATIONAL TRAINING SCHOOL FOR GIRLS

For an additional amount for the fiscal year 1939 for the National Training School for Girls, including the same objects and under the same limitations and conditions specified in the appropriation under this head in the Second Deficiency Appropriation Act, fiscal year 1938, \$1,800.

National Training School for Girls.

52 Stat. 1123.

## DISTRICT TRAINING SCHOOL

For an additional amount for repairs and improvements to buildings and grounds for the purpose of repairing a bridge across the Little Patuxent River on the grounds of the District Training School near Laurel, Maryland, fiscal year 1940, \$2,500, and the appropriation of \$4,500 contained in the Third Deficiency Appropriation Act, fiscal year 1937, for this purpose, which was continued available for the fiscal year 1939 for the same purpose by the District of Columbia Appropriation Act, fiscal year 1939, is hereby continued available during the fiscal year 1940, for the same purpose, and may be expended by the employment of day labor or otherwise.

Repairs and improvements.

50 Stat. 760.

52 Stat. 179.

## INDUSTRIAL HOME SCHOOL FOR COLORED CHILDREN

Expenses: For an additional amount for maintenance for the fiscal year 1939, including the same objects and under the same limitations specified in the appropriation for this purpose in the District of Columbia Appropriation Act, fiscal year 1939, \$1,800.

Expenses.

52 Stat. 179.

Vocational building: For an additional amount for construction of a vocational building, such work to be performed by day labor

Vocational building.

or otherwise in the discretion of the Commissioners, fiscal year 1940, to remain available until expended, \$5,000.

Repairs, etc.

Not to exceed \$3,500 of the unexpended balance of the appropriation of \$7,500 for repairs and improvements to buildings and grounds, Industrial Home School for Colored Children, contained in the District of Columbia Appropriation Act for the fiscal year 1939 is continued available for the same purposes during the fiscal year 1940.

52 Stat. 179.

#### INDUSTRIAL HOME SCHOOL

Purchase of truck.

For the purchase (including exchange) of a truck, fiscal year 1940, \$800.

#### HOME FOR AGED AND INFIRM

Contingent expenses.

For an additional amount for provisions, fuel, forage, and so forth, for the fiscal year 1939, including the same objects and under the same limitations specified in the appropriation for this purpose in the District of Columbia Appropriation Act, fiscal year 1939, \$3,330.

52 Stat. 180.

#### SAINT ELIZABETHS HOSPITAL

Support of indigent insane of D. C.

For an additional amount for support of indigent insane of the District of Columbia in Saint Elizabeths Hospital, as provided by law, fiscal year 1939, \$105,000.

### HIGHWAY FUND, GASOLINE TAX AND MOTOR VEHICLE FEES

#### DEPARTMENT OF VEHICLES AND TRAFFIC

Traffic lights, etc.

For an additional amount for the fiscal year 1937 for purchase, installation, and modification of electric traffic lights, signals, and controls, including the same objects and under the same limitations and conditions specified in the appropriation for this purpose in the District of Columbia Appropriation Act, fiscal year 1937, \$756.11.

49 Stat. 1858.

For an additional amount for purchase, installation, and modification of electric lights, signals, and controls, including the same objects and under the same limitations and conditions specified in the appropriation for this purpose in the District of Columbia Appropriation Act for the fiscal year 1938, payable from the special fund created by the Act entitled "An Act to provide for a tax on motor vehicle fuels sold within the District of Columbia, and for other purposes", approved April 23, 1924, and the Act entitled "An Act to provide additional revenue for the District of Columbia, and for other purposes", approved August 17, 1937, fiscal year 1938, \$90.70.

50 Stat. 362.

43 Stat. 106.

50 Stat. 676.  
20 D. C. Code, Supp.  
IV, § 831.

Purchase of lots,  
funds available.  
52 Stat. 185.

Not to exceed \$135 of the appropriation for Street Improvements, Highway Fund, Gasoline Tax and Motor Vehicle Fees, contained in the District of Columbia Appropriation Act for the fiscal year 1939, is made available for the purchase of lots 803 and 814, in square 1448, adjacent to Loughboro Road Northwest.

#### REFUND OF ASSESSMENTS

Refund of assessments.

Not to exceed \$285.14 of the unexpended balance of the appropriation of \$29,691.93 for refund of assessments, fiscal years 1937 and 1938, contained in the Second Deficiency Appropriation Act, fiscal year 1937, is hereby made available for the same purposes during the fiscal year 1940.

50 Stat. 218.

#### SETTLEMENT OF CLAIMS

Payment of claims.

For the payment of claims approved by the Commissioners under and in accordance with the provisions of the Act entitled "An Act

authorizing the Commissioners of the District of Columbia to settle claims and suits against the District of Columbia", approved February 11, 1929, as amended by the Act approved June 5, 1930, and certified to Congress in House Document Numbered 357 of the Seventy-sixth Congress, \$10,319.74.

For the payment of the claim of M. M. Kite, a private in the Metropolitan Police Department, District of Columbia, covering pay for the period in which he was under suspension, namely, March 1, 1939, to May 31, 1939, inclusive, under authority of the Act of February 11, 1929, as amended by the Act of June 5, 1930, \$600.

45 Stat. 1160; 46 Stat. 500.  
20 D. C. Code §§ 103-106; Supp. IV, §§ 103, 104.  
M. M. Kite, claim.

#### JUDGMENTS

For the payment of final judgments, including costs, rendered against the District of Columbia, as set forth in House Document Numbered 387, Seventy-sixth Congress, \$20,984.59, together with the further sum to pay the interest at not exceeding 4 per centum per annum on such judgments, as provided by law, from the date the same became due until the date of payment.

Payment of final judgments.

Interest.

#### AUDITED CLAIMS

For the payment of the following claims, certified to be due by the accounting officers of the District of Columbia, under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), being for the service of the fiscal year 1936 and prior fiscal years:

Audited claims.

Gasoline tax, road and street improvements, District of Columbia, 1936, repairs to streets, \$51.88;

Children's Tuberculosis Sanatorium, District of Columbia, 1936, maintenance, \$46.61;

Sewers, District of Columbia, 1936, assessment and permit work, \$24.40;

Motor vehicles, District of Columbia, 1936, maintenance and repair, \$19.31;

Metropolitan Police, District of Columbia, 1936, contingent expenses, \$73.35;

Miscellaneous expenses, Supreme Court, District of Columbia, 1936, \$260;

National Training School for Girls, District of Columbia, 1935, maintenance, \$11.51;

Public schools, District of Columbia, 1935, manual training, \$47.40;

Refunding taxes, District of Columbia, 1935, \$23.47;

Sewers, District of Columbia, 1935, cleaning and repairing, \$21;

Metropolitan Police, District of Columbia, 1935, salaries of officers and members, \$13.33;

Metropolitan Police, District of Columbia, 1935, contingent expenses, miscellaneous, \$8.10;

Water Department, District of Columbia, 1934, maintenance, \$5.70;

Water Department, District of Columbia, 1934, replacement of old mains, \$14.40;

Coroner's office, District of Columbia, 1934, maintenance, \$19.50;

Police court, District of Columbia, 1934, witness fees, 75 cents;

Refund of assessments, District of Columbia, 1933-1934, \$36.09;

Miscellaneous expenses, Supreme Court, District of Columbia, 1928, \$182.84;

In all, audited claims, \$859.64.

18 Stat. 110.  
31 U. S. C. § 713.



## DIVISION OF EXPENSES

Division of expenses.

The foregoing sums for the District of Columbia, unless otherwise therein specifically provided, shall be paid out of the revenues of the District of Columbia and the Treasury of the United States in the manner prescribed by the District of Columbia Appropriation Acts for the respective fiscal years for which such sums are provided.

## DEPARTMENT OF AGRICULTURE

## AGRICULTURAL MARKETING SERVICE

U. S. Warehouse Act.  
39 Stat. 486.  
7 U. S. C. §§ 241-273.  
*Ante*, p. 969.

United States Warehouse Act: For an additional amount to enable the Secretary of Agriculture to carry into effect the provisions of the United States Warehouse Act, fiscal year 1940, \$17,500, of which not to exceed \$3,200 may be expended for personal services in the District of Columbia.

## DEPARTMENT OF COMMERCE

## NATIONAL BUREAU OF STANDARDS

Operation and administration.  
*Ante*, p. 912.

Operation and administration: For an additional amount for the general operation and administration of the Bureau; improvement and care of grounds; plant equipment; necessary repairs and alterations to buildings, fiscal year 1940, \$44,000.

## COAST AND GEODETIC SURVEY

Field expenses, coastal surveys.

Field expenses, coastal surveys: For surveys and necessary resurveys of coasts on the Atlantic and Pacific Oceans and the Gulf of Mexico under the jurisdiction of the United States, and so forth, including the same objects specified under this head in the Department of Commerce Appropriation Act, 1940, fiscal year 1940, \$130,000.

*Ante*, p. 915.

Magnetic and seismological work.

Magnetic and seismological work: For continuing magnetic and seismological observations, and so forth, including the same objects specified under this head in the Department of Commerce Appropriation Act, 1940, fiscal year 1940, \$60,000.

*Ante*, p. 915.

Vessels, repair, etc.

Vessels: For an additional amount for repair of vessels, and replacement of equipment thereon, exclusive of engineers' supplies and other ship chandlery, fiscal year 1940, \$60,000.

Pay of officers and men on vessels.

Pay of officers and men on vessels: For an additional amount for all necessary employees to man and equip vessels, and so forth, including the same objects specified under this head in the Department of Commerce Appropriation Act, 1940, fiscal year 1940, \$55,000.

*Ante*, p. 915.

Office force.

Office force: For an additional amount for personal services, fiscal year 1940, \$45,000.

Office expenses.

Office expenses: For purchase of new instruments (except surveying instruments), and so forth, including the same objects specified under this head in the Department of Commerce Appropriation Act, 1940, fiscal year 1940, \$10,000.

*Ante*, p. 916.

## PATENT OFFICE

Printing and binding.

Printing and binding: For an additional amount for printing the weekly issue of patents, designs, trade-marks, prints, and labels, exclusive of illustrations; and for printing, engraving illustrations, and binding the Official Gazette, including weekly and annual indices, fiscal year 1939, \$24,417.93.

## DEPARTMENT OF THE INTERIOR

## OFFICE OF THE SECRETARY

Division of Grazing: The limitation of \$62,700 on the amount that may be expended for personal services in the District of Columbia from the appropriation for salaries and expenses, Division of Grazing, contained in the Interior Department Appropriation Act, 1940, is hereby increased to \$83,300.

Division of Grazing.  
Personal services.

*Ante*, p. 687.

## PETROLEUM CONSERVATION DIVISION

Salaries and expenses, oil regulation and enforcement: For administering and enforcing the provisions of the Act approved February 22, 1935 (49 Stat. 30), entitled "An Act to regulate interstate and foreign commerce in petroleum and its products by prohibiting the shipment in such commerce of petroleum and its products produced in violation of State law, and for other purposes", as amended, and to include necessary personal services in the District of Columbia and elsewhere without regard to the civil-service laws and regulations, traveling expenses, contract stenographic reporting services, rent, stationery, and office supplies, not to exceed \$500 for necessary expenses of attendance at meetings and conferences concerned with the work of petroleum conservation when authorized by the Secretary of the Interior, not to exceed \$2,500 for printing and binding, not to exceed \$100 for books and periodicals, and not to exceed \$14,000 for the purchase, exchange, hire, maintenance, operation, and repair of motor-propelled passenger-carrying vehicles, \$210,000.

Salaries and expenses, oil regulation and enforcement.  
*Ante*, p. 687.

49 Stat. 30; *ante*, p. 927.  
15 U. S. C., Supp. IV, §§ 715-715l.

Attendance at meetings.

Printing and binding.  
Motor vehicles.

## PRINTING AND BINDING

Printing and binding, Department of the Interior: Funds available for printing and binding for the Department of the Interior for the fiscal year 1940 shall be available for the publication for issuance in accordance with past practice of bulletins containing matter such as disseminated by the Bureau of Biological Survey through the medium of Farmers Bulletins prior to the transfer of such Bureau and its functions to the Department of the Interior.

Publication of bulletins.  
*Ante*, p. 688.

## GENERAL LAND OFFICE

Payment of proceeds of sales of Coos Bay Wagon Road grant lands and timber: For an additional amount for payment of 25 per centum of the balance of the proceeds from sales of the Coos Bay Wagon Road grant lands and timber within each of the counties of Coos and Douglas, Oregon, after deducting the accrued taxes in said counties and a sum equal to \$2.50 per acre for the land title to which revested in the United States pursuant to the Act of February 26, 1919 (40 Stat. 1179), to be paid to the treasurer of the county for common schools, roads, highways, bridges, and port districts, fiscal year 1939, \$12,771.12: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

Coos Bay Wagon Road grant lands, etc.  
Payment of proceeds of sales of.

40 Stat. 1179.

*Proviso*.  
Expenditures limited.

48 Stat. 1227.  
31 U. S. C. § 725c.

Oklahoma.  
Payment to, from royalties, south half of Red River.

42 Stat. 1448.  
30 U. S. C. § 233.  
In lieu of State, etc., taxes.

Payment to Oklahoma from royalties, oil and gas, south half of Red River: For an additional amount for payment of 37½ per centum of the royalties derived from the south half of Red River in Oklahoma under the provisions of the Act of March 4, 1923 (30 U. S. C. 233), which shall be paid to the State of Oklahoma in lieu of all State and local taxes upon tribal funds accruing under said

41 Stat. 450.  
30 U. S. C. § 191.  
*Proviso.*  
Limitation.

48 Stat. 1227.  
31 U. S. C. § 725c.

Act, to be expended by the State in the same manner as if received under section 35 of the Act approved February 25, 1920 (30 U. S. C. 191), fiscal year 1939, \$2,115.71: *Provided*, That expenditures hereunder shall not exceed the aggregate receipts covered into the Treasury in accordance with section 4 of the Permanent Appropriation Repeal Act, 1934.

#### BUREAU OF INDIAN AFFAIRS

##### GENERAL EXPENSES

Indian supplies,  
purchase and trans-  
portation.

Purchase and transportation of Indian supplies: For an additional amount for expenses of purchase and transportation of goods and supplies for the Indian Service, for the following fiscal years:

For 1936, \$16,000;

For 1937, \$4,000;

For 1938, \$50,000.

##### INDIAN LANDS

Eastern Band of  
Cherokee Indians,  
N. C.  
Purchase of land,  
etc., from tribal funds.

*Proviso.*  
Title to land, etc.

Colville Indians,  
Wash.  
Purchase of land,  
etc., from tribal funds.

*Proviso.*  
Title to land, etc.

Purchase of land for Eastern Band of Cherokee Indians, North Carolina (tribal funds): For the purchase of land and improvements thereon for the Eastern Band of Cherokee Indians in North Carolina, fiscal year 1940, \$5,000, payable from funds on deposit to the credit of the Eastern Band of Cherokee Indians: *Provided*, That title to any land or improvements so purchased shall be taken in the name of the United States in trust for the Eastern Band of Cherokee Indians.

Purchase of land for Colville Indians, Washington (tribal funds): For the purchase of land and improvements thereon for the Colville Indians, Washington, fiscal year 1940, to remain available until June 30, 1941, \$100,000, payable from funds on deposit to the credit of the Colville Indians: *Provided*, That title to any land and improvements so purchased shall be taken in the name of the United States in trust for the Colville Indians.

##### INDUSTRIAL ASSISTANCE AND ADVANCEMENT

Colville Indians,  
Wash.  
Construction of  
homes, purchase of  
seed, equipment, etc.

Advances to old,  
etc., Indians.

Conditions.

*Ante*, p. 697.

Industrial assistance (tribal funds): For an additional amount for the construction of homes for individual members of the Colville tribe of Indians, Washington; for advances to them for the purchase of seed, animals, machinery, implements, building material, and other equipment and supplies; and for advances to old, disabled, or indigent Indians for their support and burial, and Indians having irri-gable allotments to assist them in the development and cultivation thereof, fiscal year 1940, \$100,000, payable from funds on deposit to the credit of the Colville Indians; subject to the same conditions specified under this head in the Interior Department Appropriation Act, 1940.

##### IRRIGATION AND DRAINAGE

San Carlos project,  
Ariz.  
Operation and  
maintenance.

Middle Rio Grande  
Conservancy District,  
N. Mex.  
Maintenance assess-  
ments, etc.

Irrigation systems  
on Indian reserva-  
tions.

Operation and maintenance, San Carlos irrigation project, Gila River Reservation, Arizona: For the operation and maintenance of the San Carlos project for the irrigation of lands in the Gila River Indian Reservation, Arizona, including \$75,000 for the power system, fiscal year 1940, \$125,000, reimbursable.

Maintenance assessments, Indian lands, Middle Rio Grande Conservancy District, New Mexico (reimbursable): For an additional amount for operation and maintenance assessments on newly reclaimed Indian lands within the Middle Rio Grande Conservancy District, New Mexico, fiscal year 1938, \$2,843.

Irrigation systems on Indian reservations: For an additional amount for the construction, repair, and rehabilitation of irrigation systems on Indian reservations, fiscal year 1940, including the same objects and limitations specified under the appropriation for this

purpose in the Interior Department Appropriation Act, 1940, as follows:

Arizona: San Carlos, \$50,000, reimbursable.

Construction, irrigation system, Klamath Reservation, Oregon (tribal funds): For the construction of an irrigation system on the Klamath Reservation, including acquisition of rights-of-way and payment of damages in connection with such irrigation system, fiscal year 1940, \$15,000, payable from funds on deposit to the credit of the Klamath Indians, to be reimbursed to the tribe by the Indians benefited under such rules and regulations as the Secretary of the Interior may prescribe.

#### CONSERVATION AND HEALTH

Reindeer industry, Alaska: For the purchase, in such manner as the Secretary of the Interior shall deem advisable, of reindeer, abat-toirs, cold-storage plants, corrals and other buildings, and communication and other equipment, owned by nonnatives in Alaska, as authorized by the Act of September 1, 1937 (50 Stat. 900), \$720,000; and for necessary administrative expenses in connection with such purchase and the establishment and development of the reindeer industry for the benefit of the Eskimos and other natives of Alaska, as authorized by said Act, including personal services in the District of Columbia (not to exceed \$2,300) and elsewhere, traveling expenses, erection, repair, and maintenance of corrals, fences, and other facilities, \$75,000; in all, fiscal year 1940, \$795,000: *Provided*, That under this appropriation not exceeding an average of \$4 per head shall be paid for reindeer purchased from nonnative owners: *Provided further*, That the foregoing limitation shall not apply to the purchase of reindeer located on Nunivak Island.

#### GENERAL SUPPORT AND ADMINISTRATION

Support of Indians and administration of Indian property (tribal funds): For an additional amount for support of Indians and administration of Indian property under the jurisdiction of the following agencies, to be paid from the funds held by the United States in trust for the respective tribes, fiscal year 1940, in not to exceed the following sums, respectively:

California: Mission Indians, \$4,000, to be available for the expenses and compensation of an agent employed by the Agua Caliente Band, under a contract approved by the Secretary of the Interior, in accordance with existing law;

Colorado: Consolidated Ute (Ute Mountain), \$38,000, including the purchase of land, the subjugation thereof, and the construction of improvements thereon;

Oregon: Klamath; not to exceed \$4,500 of the amount authorized in the Interior Department Appropriation Act, fiscal year 1940, for the support of the Klamath Agency from tribal funds, shall be available for fees and expenses of an attorney or firm of attorneys selected by the tribe and employed under a contract approved by the Secretary of the Interior, in accordance with existing law;

Wisconsin: Keshena, \$5,200, to be available only for fees and expenses of an attorney or firm of attorneys selected by the tribe and employed under a contract approved by the Secretary of the Interior, in accordance with existing law:

In all, \$47,200.

Western or Old Settler Cherokees: For the relief of the Western or Old Settler Cherokees, as authorized by the bill S. 2261 entitled "For the relief of the Western or Old Settler Cherokees, and for other purposes, Seventy-sixth Congress, fiscal year 1940, \$6,416.42.

*Ante*, p. 699.

San Carlos, Ariz.

Klamath Reserva-  
tion, Oreg.

Payment of dam-  
ages.

Reimbursement.

Reindeer industry,  
Alaska.  
Purchase of rein-  
deer, buildings, etc.

50 Stat. 900.  
48 U. S. C., Supp.  
IV, §§ 250-250p.  
Administrative ex-  
penses.

*Providos*.  
Limitation on aver-  
age price of reindeer.

Nunivak Island ex-  
cepted.

Support of Indians,  
etc., under specified  
agencies, from tribal  
funds.

California.  
Expenses, etc., of  
agent employed by  
Agua Caliente Band.  
*Ante*, p. 708.

Colorado.  
Purchase of land,  
etc.  
*Ante*, p. 708.

Oregon.  
Attorneys' fees, etc.  
*Ante*, p. 708.

Wisconsin.  
Attorneys' fees, etc.  
*Ante*, p. 708.

Western or Old Set-  
tler Cherokees.

## CONSTRUCTION AND REPAIR

School, agency, hospital, etc., buildings.

Construction, and so forth, buildings and utilities, Indian Service: For an additional amount for the construction, repair, or rehabilitation of school, agency, hospital, or other buildings and utilities, including the purchase of land and the acquisition of easements or rights-of-way when necessary, and including the purchase of furniture, furnishings, and equipment, as follows:

Colville, Wash.

Colville, Washington: Not to exceed \$7,000 of the appropriation of \$30,000 contained in the Interior Department Appropriation Act, fiscal year 1938, for improvement of the water supply, is hereby made available until June 30, 1941, for general repairs, including improvements to the sewer system;

50 Stat. 590.

School and agency facilities at Inchelium.

Colville (Inchelium), Washington: To provide school and agency facilities at Inchelium, \$138,900, including school building, office building and clinic, jail and quarters, five dwellings, warehouse, garage, and utilities: *Provided*, That no obligations shall be incurred hereunder for the school building unless and until Public School District Numbered 30 of Inchelium, Ferry County, or the State of Washington, contributes one-half of the amount required for the construction of the school facilities provided for herein, which amount shall be credited to this appropriation and shall be available for the purposes of this paragraph;

*Proviso.*  
Contribution by  
State, etc.

Mescalero, N. Mex.

Mescalero, New Mexico: Employees' building, \$35,000;

Navajo, Ariz.

Navajo, Arizona: School facilities, \$10,000;

Pine Ridge, S. Dak.

Pine Ridge, South Dakota: School facilities, \$114,600;

Uintah and Ouray, Utah.

Uintah and Ouray, Utah: Central heating plant, including the installation of distribution lines and radiation and insulation in existing buildings, \$30,000;

Total.

In all, fiscal year 1940, to remain available until June 30, 1941, \$328,500: *Provided*, That not to exceed 10 per centum of the amount of any specific authorization may be transferred in the discretion of the Commissioner of Indian Affairs to the amount of any other specific authorization but no limitation shall be increased more than 10 per centum by such transfer.

*Proviso.*  
Limitation on transfers.

## ANNUITIES AND PER CAPITA PAYMENTS

Indians of Sioux Reservations, payments.

25 Stat. 895.

Payment to Indians of Sioux Reservations: For an additional amount for payment of Sioux benefits to Indians of the Sioux Reservations as authorized by the Act of March 2, 1889 (25 Stat. 895), as amended, for the following fiscal years:

For 1938, \$70,000;

For 1939, \$27,000.

Payment of interest on Indian trust funds.

Payment of interest on Indian trust funds: For an additional amount for the payment of interest on moneys held in trust for the several Indian tribes, as authorized by various Acts of Congress, for the following fiscal years:

For 1937, \$7,153.10;

For 1938, \$83,186.02;

For 1939, \$380,000.

## BUREAU OF RECLAMATION

Operation and maintenance administration.

*Ante*, p. 716.

Operation and maintenance administration: For an additional amount for general administration of reclamation projects, \$20,000, from the reclamation fund, special fund, fiscal year 1940, to be expended for the same purposes and under the same conditions specified under this head in the Interior Department Appropriation Act, 1940.

The Secretary of the Interior, acting through the Commissioner of Reclamation, is authorized to pay from the amount of \$1,700 withheld from payment to the contractor, adjusted compensation in the amount of \$1,686.05, representing sums due employees of the contractor who failed to receive the full rates of wages required by the contract for the construction of the Agency Valley Dam, Vale reclamation project, Oregon.

Agency Valley Dam, Vale reclamation project, Oreg.  
Adjusted compensation payments.

#### BUREAU OF BIOLOGICAL SURVEY

The appropriations and funds available to the Bureau of Biological Survey for the fiscal year 1940 shall be available (1) for packing, crating, and transportation, including drayage, of personal effects of employees upon permanent change of station, under regulations to be prescribed by the Secretary of the Interior and (2) for necessary expenses (not to exceed \$3,000) of attendance at meetings concerned with the work of said Bureau when authorized by the Secretary of the Interior.

Availability of funds for transportation, etc., of personal effects.

Attendance at meetings.

Notwithstanding the provisions of section 7 of the Migratory Bird Conservation Act, approved February 18, 1929 (16 U. S. C. 715f), the sum of \$10,345, or so much thereof as may be necessary, of the appropriation for the fiscal year 1940 for carrying into effect the provisions of the Migratory Bird Hunting Stamp Act, approved March 16, 1934 (16 U. S. C. 718-718h), as amended, is hereby made available during such year for payment of deficiency judgments and decrees, with interest thereon, rendered in excess of the estimated awards in condemnation and declaration of taking proceedings for the acquisition of lands embraced within the Medicine Lake Migratory Waterfowl Refuge, Montana.

Medicine Lake Migratory Waterfowl Refuge, Mont.

Payment of deficiency judgments, etc.  
45 Stat. 1223.  
16 U. S. C. § 715f.

48 Stat. 451.  
16 U. S. C. §§ 718-718h; Supp. IV, §§ 718a-718c.

#### GEOLOGICAL SURVEY

Gaging streams: For an additional amount for gaging streams and determining the water supply of the United States, the investigation of underground currents and artesian wells, and the preparation of reports upon the best methods of utilizing the water resources, fiscal year 1940, \$25,000.

Gaging streams, etc.  
*Ante*, p. 720.

Strategic and critical minerals: For every expenditure requisite for and incident to the work of the Geological Survey in performing the duties imposed upon it by section 7 of the Act of June 7, 1939 (Public, Numbered 117, Seventy-sixth Congress), including personal services in the District of Columbia (not to exceed \$45,000) and in the field; purchase and exchange, hire, maintenance, repair, and operation of motor-propelled passenger-carrying vehicles, fiscal year 1940, \$150,000.

Strategic and critical minerals.

*Ante*, p. 812.

#### BUREAU OF MINES

Expenses, mining experiment stations: For an additional amount for maintenance and operation of mining experiment stations, fiscal year 1940, \$15,000.

Mining experiment stations, expenses.  
*Ante*, p. 723.

Economics of mineral industries: For an additional amount for inquiries and investigations, and so forth, including the same objects specified under this head in the Interior Department Appropriation Act, 1940, fiscal year 1940, \$7,000.

Economics of mineral industries.  
Investigations, etc.  
*Ante*, p. 723.

Investigation of domestic sources of mineral supply: For every expenditure requisite for and incident to the work of the Bureau of Mines in performing the duties imposed upon it by section 7 of the Act of June 7, 1939 (Public, Numbered 117, Seventy-sixth Congress); including the purchase of professional and scientific books; not to exceed \$1,000 for printing and binding; not to exceed \$15,000 for purchase, operation, maintenance, and repair of motor-propelled

Domestic sources of mineral supply, investigation.

*Ante*, p. 812.

Printing and binding.  
Motor vehicles.

## Personal services.

*Proviso.*  
Minor purchases.  
R. S. § 3709.  
41 U. S. C. § 5.

passenger-carrying vehicles for official use in field work and in transporting employees between their homes and temporary locations where they may be employed; purchase of goggles, gloves, rubber boots, miners' hats, aprons, and such other articles of personal wearing apparel or equipment as may be required for the protection of employees while engaged in their work; the construction, maintenance, and repair of necessary camp buildings and mining structures and appurtenances thereto; and including not to exceed \$15,000 for personal services in the District of Columbia; fiscal year 1940, \$350,000: *Provided*, That section 3709 of the Revised Statutes (41 U. S. C. 5) shall not be construed to apply to any purchase or service rendered when the amount involved does not exceed the sum of \$500.

## NATIONAL PARK SERVICE

Hot Springs National Park, Ark.  
Extension of boundaries.

*Post*, p. 1342.  
49 Stat. 1516.  
16 U. S. C., Supp. IV, § 361c.

Kennesaw Mountain National Memorial Military Park.

*Ante*, p. 1274.

National military parks, battlefields, etc.  
Kings Mountain National Military Park, S. C.  
Construction of buildings, etc.

Hot Springs National Park: For an additional amount to carry out the purposes of the Act of June 15, 1936, as amended (relating to the extension of the boundaries of the Hot Springs National Park, Arkansas), fiscal year 1940, \$8,000.

Kennesaw Mountain National Memorial Military Park: For the acquisition of additional lands for the Kennesaw Mountain National Memorial Military Park as authorized by the Act entitled "An Act to amend the Act approved June 26, 1935, entitled 'An Act to create a National Memorial Military Park at and in the vicinity of Kennesaw Mountain in the State of Georgia, and for other purposes'", approved August 1, 1939, fiscal year 1940, \$55,000.

National military parks, battlefields, monuments, and cemeteries: For an additional amount for national military parks, monuments, and cemeteries for the construction of an administration-museum building in the Kings Mountain National Military Park in South Carolina including the purchase of furniture and museum cases, the preparation of exhibits for installation therein, and the construction of other necessary administration buildings or residences, fiscal year 1940, \$40,000.

## GOVERNMENT IN THE TERRITORIES

Alaska.  
Legislative expenses.

Legislative expenses, Territory of Alaska: For an additional amount for legislative expenses for the fiscal year 1939, including printing, indexing, comparing proofs, and binding laws, printing, indexing and binding journals, stationery, supplies, printing of bills, reports, and so forth, to be expended under the direction of the Governor of Alaska, \$4,652.21.

Care, etc., of insane.

Insane of Alaska: For an additional amount for the care and custody of persons legally adjudged insane in Alaska, including the same objects and for the same services specified in the Interior Department Appropriation Act, 1939, fiscal year 1939, \$3,500.

52 Stat. 338.

Virgin Islands.  
Deficits of municipal governments.

Defraying deficits in treasuries of municipal governments, Virgin Islands: For an additional amount for defraying the deficits in the treasuries of the municipal governments because of the excess of current expenses over current revenues for the fiscal year 1940, municipality of Saint Thomas and Saint John, \$15,000, and municipality of Saint Croix, \$20,000, in all, \$35,000, to be paid to the said treasuries in monthly installments.

*Ante*, p. 736.

## DEPARTMENT OF JUSTICE

## FEDERAL BUREAU OF INVESTIGATION

Claims for damages.

Claims for damages: For the payment of claims for damages to any person or damages to or loss of privately owned property caused

by employees of the Federal Bureau of Investigation, acting within the scope of their employment, considered, adjusted, and determined by the Attorney General, under the provisions of the Act entitled "An Act to provide for the adjustment and settlement of certain claims arising out of the activities of the Federal Bureau of Investigation", approved March 20, 1936 (49 Stat. 1184), as fully set forth in House Document Numbered 406, Seventy-sixth Congress, \$346.48.

49 Stat. 1184.  
5 U. S. C., Supp.  
IV, § 300b.

#### SALARIES AND EXPENSES, UNITED STATES COURT FOR CHINA

Salaries and expenses: The appropriations for salaries and expenses, United States Court for China, for the fiscal years 1938, 1939, and 1940 shall be available, under such regulations as may be prescribed by the Attorney General, for travel expenses of officers and employees of the court, and of their dependents, while en route to or from places of temporary refuge in time of war, political disturbance, earthquake, epidemic, or similar emergency, and for per diem in lieu of subsistence of such officers, employees, and their dependents while in a refugee status.

Travel expenses,  
etc.

### DEPARTMENT OF LABOR

#### OFFICE OF THE SECRETARY

Salaries, office of Secretary of Labor: For an additional amount for salaries, office of Secretary of Labor, fiscal year 1940, \$20,000.

Salaries.  
*Ante*, p. 920.

Contingent expenses: For an additional amount for contingent and miscellaneous expenses of the offices and bureaus of the Department, including the same objects and under the same conditions specified in the Department of Labor Appropriation Act, 1940, \$18,000.

Contingent ex-  
penses.

The appropriation for contingent expenses, contained in the Department of Labor Appropriation Act, 1940, shall be available for the purchase and exchange, at a cost not to exceed \$1,800, of one passenger-carrying automobile for the official use of the Secretary of Labor.

*Ante*, p. 920.  
Automobile for of-  
ficial use of Secretary.

Traveling expenses: For an additional amount for traveling expenses, except traveling expenses incident to the deportation of aliens, under the Department of Labor, fiscal year 1940, \$272,000.

Traveling expenses;  
exception.  
*Ante*, p. 921.

#### IMMIGRATION AND NATURALIZATION SERVICE

Salaries, office of Commissioner of Immigration and Naturalization: For an additional amount for the employment of temporary personal services in the District of Columbia, fiscal year 1940, \$17,000.

Office of Commis-  
sioner, salaries.  
*Ante*, p. 922.

Salaries, field service, Immigration and Naturalization Service: For an additional amount for the employment of temporary personnel, fiscal year 1940, \$233,000.

Field service, sal-  
aries.  
*Ante*, p. 922.

Transporting Filipinos to the Philippine Islands: The unexpended balance of the appropriation of \$150,000 contained in the First Deficiency Appropriation Act, fiscal year 1937, for all authorized expenditures necessary to enable the Secretary of Labor to administer the provisions of the Act of July 10, 1935 (49 Stat. 478) as amended, and continued available for the same purposes during the fiscal year ending June 30, 1938, and to and including December 31, 1938, by the First Deficiency Appropriation Act, 1938, is hereby further continued available during the fiscal year ending June 30, 1940, and to and including December 31, 1940, to enable the Secretary of Labor to administer the provisions of the Act of July 27, 1939.

Transporting Fili-  
pinos to Philippine  
Islands.  
50 Stat. 13.

49 Stat. 478.  
48 U. S. C., Supp.  
IV, §§ 1251-1257.

52 Stat. 89.

*Ante*, p. 1133.



## CHILDREN'S BUREAU

Maternal and child welfare, salaries and expenses.

49 Stat. 629; *post*, p. 1380.  
42 U. S. C., Supp. IV, §§ 701-731.  
*Ante*, p. 924.  
Grants to States. Maternal and child health services.  
*Ante*, p. 924.

49 Stat. 629; *post*, p. 1380.  
42 U. S. C., Supp. IV, §§ 701-705.  
*Proviso*.  
Allotments to States.

Services for crippled children.  
*Ante*, p. 924.

49 Stat. 631; *post*, p. 1380.  
42 U. S. C., Supp. IV, §§ 711-715.  
Child-welfare services.  
*Ante*, p. 924.

49 Stat. 633; *post*, p. 1381.  
42 U. S. C., Supp. IV, § 721.  
Conditional availability.

*Post*, p. 1380.

Payments to States for any quarter of fiscal year 1940.  
49 Stat. 629; *post*, p. 1380.  
42 U. S. C., Supp. IV, §§ 701-721.

Restriction.

Grants to States. Maternal and child-health services.

49 Stat. 629; *post*, p. 1380.  
42 U. S. C., Supp. IV, §§ 701-705.

52 Stat. 288.

Services for crippled children.

49 Stat. 631; *post*, p. 1380.  
42 U. S. C., Supp. IV, §§ 711-715.

Salaries and expenses, maternal and child welfare, Children's Bureau: For an additional amount for all authorized and necessary administrative expenses of the Children's Bureau in performing the duties imposed upon it by title V of the Social Security Act, approved August 14, 1935, as amended, including the same objects specified under this head in the "Department of Labor Appropriation Act, 1940", fiscal year 1940, \$7,500.

Grants to States for maternal and child health services, Children's Bureau: For an additional amount for grants to States for the purpose of enabling each State to extend and improve services for promoting the health of mothers and children, as authorized in title V, part 1, of the Social Security Act, approved August 14, 1935, as amended: *Provided*, That an allotment to a State pursuant to section 502 (b), as amended, shall not be included in computing for the purposes of subsections (a) and (b) of section 504 an amount expended or estimated to be expended by the State, fiscal year 1940, \$1,000,000.

Grants to States for services for crippled children, Children's Bureau: For an additional amount for the purpose of enabling each State to extend and improve services for crippled children, as authorized in title V, part 2, of the Social Security Act, approved August 14, 1935, as amended, fiscal year 1940, \$500,000.

Grants to States for child-welfare services, Children's Bureau: For an additional amount for grants to States for the purpose of enabling the United States, through the Children's Bureau, to cooperate with State public-welfare agencies in establishing, extending, and strengthening public-welfare services for the care of homeless or neglected children, or children in danger of becoming delinquent, as authorized in title V, part 3, of the Social Security Act (42 U. S. C. 721), as amended, fiscal year 1940, \$5,000.

The foregoing items of appropriations for the Children's Bureau shall not be available for expenditure unless and until the proposed amendments to title V of the Social Security Act, as contained in H. R. 6635, are enacted into law.

In the administration of title V of the Social Security Act, as amended, for the fiscal year 1940, payments to States for any quarter of the fiscal year 1940 under parts 1, 2 and 3 may be made with respect to any State plan approved under such respective parts by the Chief of the Children's Bureau prior to or during such quarter, but no such payment shall be made with respect to any plan for any period prior to the quarter in which such plan is submitted to the Chief of the Children's Bureau for approval.

Grants to States for maternal and child-health services, Social Security Act, Children's Bureau: For an additional amount for grants to States for the purpose of enabling each State to extend and improve services for promoting health of mothers and children as authorized in title V, part 1, of the Social Security Act, approved August 14, 1935 (42 U. S. C. 701), to complete payment of allotments made to the several States for the fiscal year 1939 in excess of the amount appropriated under this head in the Department of Labor Appropriation Act, 1939, as therein authorized, \$100,000.

Grants to States for services for crippled children, Social Security Act, Children's Bureau: For an additional amount for the purpose of enabling each State to extend and improve services for crippled children, as authorized in title V, part 2, of the Social Security Act, approved August 14, 1935 (42 U. S. C. 711), to complete payment of allotments made to the several States for the fiscal year 1939

in excess of the amount appropriated under this head in the Department of Labor Appropriation Act, 1939, as therein authorized, \$50,000.

52 Stat. 288.

## WAGE AND HOUR DIVISION

**Salaries:** For an additional amount for all personal services for the Wage and Hour Division in performing the duties imposed upon it by the Fair Labor Standards Act of 1938, fiscal year 1940, \$915,000: *Provided*, That the limitation contained in the Department of Labor Appropriation Act, 1940, on the amount which may be expended for personal services in the District of Columbia is hereby increased to \$1,260,600: *Provided further*, That the Secretary of Labor may allot or transfer, with the approval of the Director of the Bureau of the Budget, funds from this appropriation to any bureau or office of the Department of Labor to enable such agency to perform services for the Wage and Hour Division.

Salaries.  
*Ante*, p. 926.

52 Stat. 1060; *ante*,  
p. 1266.  
29 U. S. C., Supp.  
IV, §§ 201-219.  
*Proviso*.  
Personal services,  
limitation increased.  
*Ante*, p. 926.  
Transfer, etc., of  
funds.

## NAVY DEPARTMENT

## OFFICE OF THE SECRETARY

**Claims for damages by collision with naval vessels:** To pay claims for damages adjusted and determined by the Secretary of the Navy under the provisions of the Act entitled "An Act to amend the Act authorizing the Secretary of the Navy to settle claims for damages to private property arising from collisions with naval vessels", approved December 28, 1922, as fully set forth in Senate Document Numbered 103, and House Document Numbered 413, Seventy-sixth Congress, \$4,183.04.

Collision damage  
claims.

42 Stat. 1066.  
34 U. S. C. § 599.

For expenditure, in the discretion of the Secretary of the Navy, for chartering and commissioning the steamship *Bear* as a vessel of the United States Navy for the purposes of the survey of the Antarctic regions to be made by the United States Antarctic Service as authorized by the Urgent Deficiency and Supplemental Appropriation Act, fiscal years 1939 and 1940, approved June 30, 1939, Public, Numbered 160, Seventy-sixth Congress: *Provided*, That such expenditure shall be made from the amounts appropriated for this purpose for the Department of the Interior under the head of "Expenses, Division of Territories and Island Possessions" in the Second Deficiency Appropriation Act, fiscal year 1939, approved May 2, 1939, and the Urgent Deficiency and Supplemental Appropriation Act, fiscal years 1939 and 1940, approved June 30, 1939.

Antarctic survey.  
Chartering, etc., of  
steamship *Bear*.

*Ante*, p. 986.  
*Proviso*.  
Expenditure from  
designated amounts.

*Ante*, p. 634.

*Ante*, p. 986.

## BUREAU OF SUPPLIES AND ACCOUNTS

## PAY, SUBSISTENCE, AND TRANSPORTATION

**Pay of naval personnel:** For an additional amount for pay and allowances prescribed by law of officers, and so forth, including the same objects specified under this head in the Naval Appropriation Act for the fiscal year 1940, approved May 25, 1939, and including pay and allowances of officers of the Naval Reserve serving on active duty under the provisions of the "Naval Aviation Reserve Act of 1939", approved June 13, 1939, \$500,000, and, in addition, there is hereby transferred to this appropriation \$1,974,743 from the appropriation "Naval Reserve, 1940".

Pay, etc., of naval  
personnel.

*Ante*, p. 766.  
Naval Reserve of-  
ficers on active duty.

*Ante*, p. 819.

## PUBLIC WORKS, BUREAU OF YARDS AND DOCKS

Public works, etc. Toward the following public works and public utilities projects at a cost not to exceed the amount stated for each project, respectively, \$2,070,000, which amount, together with unexpended balances of appropriations heretofore made under this head, shall be disbursed and accounted for in accordance with existing law and shall constitute one fund:

Navy Yard, Pearl Harbor, Hawaii. Navy Yard, Pearl Harbor, Hawaii: Graving drydock for large vessels, services and accessories, \$8,485,000; graving drydock for small vessels, services and accessories, \$2,000,000;

Puget Sound, Wash. Navy Yard, Puget Sound, Washington: Graving drydock, services and accessories, \$3,000,000;

Mare Island, Calif. Navy Yard, Mare Island, California: Graving drydock, services and accessories, \$1,750,000;

Boston, Mass. Navy Yard, Boston, Massachusetts: Construction of drydock facilities, including buildings and accessories, South Boston, \$2,545,000;

Philadelphia, Pa. Navy Yard, Philadelphia, Pennsylvania: Improvement of power plant, \$200,000; extension of machine shop, \$375,000;

Naval ammunition depot, Hawthorne, Nev. Naval ammunition depot, Hawthorne, Nevada: Additional magazine buildings and accessories, \$1,260,000;

Oahu, Hawaii. Naval ammunition depot, Oahu, Hawaii: Additional magazine buildings and accessories, \$223,500;

Fleet supply base, Oakland, Calif. Fleet supply base, Oakland, California: Construction of fleet supply facilities, including buildings and accessories and acquisition of land, \$6,500,000;

Naval Air Station, San Diego, Calif. Naval Air Station, San Diego, California: Purchase and improvement of auxiliary landing fields, \$70,000.

## MARINE CORPS

Pay, etc. Pay, Marine Corps: For an additional amount for pay, Marine Corps, and so forth, including the same objects specified under this head in the Naval Appropriation Act for the fiscal year 1940, approved May 25, 1939, and including pay and allowances of officers of the Marine Corps Reserve serving on active duty under the provisions of the "Naval Aviation Reserve Act of 1939", \$68,860.

*Ante*, p. 775.  
Marine Corps Reserve officers on active duty.  
*Ante*, p. 819.

## ALTERATIONS TO NAVAL VESSELS

Acquisition and conversion of two motor vessels. For an additional amount under this appropriation title, as contained in the Naval Appropriation Act for the fiscal year ending June 30, 1940, to acquire and convert two motor vessels, as authorized by section 2 of the Act approved July 25, 1939 (Public, Numbered 212; Seventy-sixth Congress), fiscal year 1940, \$2,500,000, to remain available until expended.

*Ante*, p. 777.  
*Ante*, p. 1079.

## REPLACEMENT OF NAVAL VESSELS

Armor, armament, and ammunition; special facilities. Armor, armament, and ammunition: Not to exceed \$6,000,000 of the amount appropriated and made available under this head by the Naval Appropriation Act for the fiscal year 1940 is hereby made available for expenditure, in the discretion of the Secretary of the Navy, for the procurement and installation of special facilities for use by contractors in manufacturing armor for naval vessels: *Provided*, That existing contracts for armor may be appropriately modified: *Provided further*, That facilities procured hereunder may be leased, sold, or otherwise disposed of, in the discretion of the Secretary of the Navy, when no longer required for use under naval contracts.

*Provisos.*  
Modification of existing contracts.  
Disposal of facilities.

*Ante*, p. 778.

## POST OFFICE DEPARTMENT

## OUT OF THE POSTAL REVENUES

## OFFICE OF THE FIRST ASSISTANT POSTMASTER GENERAL

Domestic Air Mail Service, 1940: For an additional amount for the inland transportation of mail by aircraft, and so forth, including the same objects specified under this head in the Post Office Department Appropriation Act, 1940, \$713,200.

Domestic Air Mail Service, 1940.

*Ante*, p. 677.

Foreign air-mail transportation: For an additional amount for the transportation of foreign mails by aircraft, as authorized by law, fiscal year 1940, \$1,419,520.

Foreign air-mail transportation.  
*Ante*, p. 678.

Foreign air-mail transportation: For an additional amount for the transportation of foreign mails by aircraft, as authorized by law, fiscal year 1940, \$900,000: *Provided*, That in the advertisement or award of any formal contract, or on renewal of any such contract, involving expenditures from this appropriation, the Postmaster General shall not be bound by any franchise, obligation, right, privilege, duty, or liability, granted or imposed by any foreign government, by virtue of any contract or agreement entered into by any natural or juridical person with such foreign government, unless the Postmaster General considers it to be in the public interest to comply with the terms of any such franchise, obligation, right, privilege, duty, or liability: *Provided further*, That in the event any such contract or agreement is canceled by a foreign government, the Government of the United States will in no way be responsible for the indemnification of any natural or juridical person awarded such contract on account of any losses or damages which may be incurred or suffered by the latter as a result of such cancellation: *Provided further*, That nothing herein shall be construed as a ratification or acceptance by the Government of the United States of the terms of any contract, agreement, or understanding, express or implied, heretofore or hereafter entered into between any natural or juridical person and any foreign government, and the Government of the United States hereby reserves to itself, unconditionally, full freedom of action with respect to any future application which may be made by any government or natural or juridical person being a citizen or subject of any foreign country for landing rights in United States territory in connection with the operation of an international air service.

*Provisos.*  
Award, etc., of contracts.

Cancellation of contract by foreign government.

Certain contracts not deemed ratified.

Landing rights in U. S., freedom of action reserved.

## DEPARTMENT OF STATE

## OFFICE OF THE SECRETARY

Claims for personal injury and death arising in foreign countries, Act February 13, 1936, Department of State: To pay a claim for injury and death adjusted and determined by the Secretary of State under the provisions of the Act entitled "An Act to provide for the adjustment and settlement of personal injury and death cases arising in certain foreign countries", approved February 13, 1936, as fully set forth in Senate Document Numbered 104, Seventy-sixth Congress, \$750.

Claims for personal injury and death arising in foreign countries.

49 Stat. 1138.  
31 U. S. C., Supp. IV, § 224a.

## CONTRIBUTIONS, QUOTAS, AND SO FORTH

For an additional amount for United States contributions to international commissions, congresses, and bureaus: For the contribution of the United States to the Inter-American Radio Office under the Inter-American Radio Communications Convention concluded December 13, 1937, for the following fiscal years:

Inter-American Radio Office.  
*Ante*, p. 891.

For 1939, \$751;

For 1940, \$3,655.

Cape Spartel and Tangier Light, Coast of Morocco.

52 Stat. 253.

Government of Panama.

Cancellation, etc., of designated checks.

Cape Spartel and Tangier Light, Coast of Morocco: The amount of \$784 applicable to the contribution for the "Cape Spartel and Tangier Light, Coast of Morocco", included in the appropriation for "United States Contributions to International Commissions, Congresses, and Bureaus, 1939", is hereby increased to \$813.

Payment to Government of Panama: For payment to the Government of Panama for the fiscal years 1934 to 1940, both inclusive, in accordance with the provisions of the treaty signed between the United States and Panama on March 2, 1936, \$2,010,000, together with the unexpended balance of \$250,000 for this purpose for each of the fiscal years 1939 and 1940, and the amount of \$250,000 from each of the accounts "Outstanding Liabilities, 1937" and "Outstanding Liabilities, 1938". Checks drawn on the Treasurer of the United States for payment to the Government of Panama dated February 24, 1934, February 26, 1935, February 26, 1936, February 26, 1937, February 26, 1938, and February 27, 1939, numbered 27530, 34602, 48769, 63123, 67232, and 70612, respectively, shall be cancelled and the amount of check numbered 70612 shall be credited to the appropriation from which drawn.

#### MISCELLANEOUS

Agrarian Claims Commission, U. S. and Mexico.

*Ante*, p. 573.

Second Inter-American Radio Conference, Santiago, Chile.

5 U. S. C. §§ 661-674; Supp. IV, §§ 673, 673c.

R. S. § 3709.  
41 U. S. C. § 5.

Meeting of Treasury Representatives, Guatemala, Guatemala.

5 U. S. C. §§ 661-674; Supp. IV, §§ 673, 673c.

R. S. § 3709.  
41 U. S. C. § 5.

Agrarian Claims Commission, United States and Mexico: For the expenses of participation by the United States in the settlement of claims of citizens of the United States against the Government of Mexico on account of expropriations of agrarian properties since August 30, 1927, as authorized by and in accordance with the Act of April 10, 1939, fiscal years 1939 and 1940, \$85,000.

Second Inter-American Radio Conference, Santiago, Chile: For the expenses of participation by the United States in the Second Inter-American Radio Conference, to be held at Santiago, Chile, in 1940, including personal services in the District of Columbia or elsewhere, without regard to the Classification Act of 1923, as amended; stenographic reporting, translating, and other services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (41 U. S. C. 5); communication service; rent; travel expenses; local transportation; transportation of things; hire, maintenance, and operation of motor-propelled passenger-carrying vehicles; purchase of necessary books, documents, newspapers, periodicals, and maps; stationery; equipment; official cards; entertainment; printing and binding; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified, to be expended under the direction of the Secretary of State, fiscal year 1940, \$16,000.

Meeting of Treasury Representatives, Guatemala, Guatemala: For the expenses of participation by the United States in the Meeting of Treasury Representatives, to be held at Guatemala, Guatemala, in 1939, including personal services in the District of Columbia or elsewhere, without regard to the Classification Act of 1923, as amended; stenographic reporting, translating, and other services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (41 U. S. C. 5); communication service; rent; travel expenses; local transportation; transportation of things; hire, maintenance, and operation of motor-propelled passenger-carrying vehicles; purchase of necessary books, documents, newspapers, and periodicals; stationery; equipment; official cards; entertainment; printing and binding; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other

appropriations from which payments may have been made for any of the purposes herein specified, to be expended under the direction of the Secretary of State, fiscal year 1940, \$2,750.

## TREASURY DEPARTMENT

### OFFICE OF THE SECRETARY

**Restoration, capital impairment, Commodity Credit Corporation:** To enable the Secretary of the Treasury, on behalf of the United States, to restore the amount of the capital impairment of the Commodity Credit Corporation as of March 31, 1939, by contribution to the Corporation as provided by the Act approved March 8, 1938 (Public, Numbered 442, Seventy-fifth Congress), fiscal year 1940, \$119,599,918.05.

Commodity Credit Corporation, restoration of capital impairment.

52 Stat. 107.

**Administrative expenses, Adjusted Compensation Payment Act, 1936, Treasury Department:** For transfer to the Post Office Department to cover registry fees and postage on mailings of bonds, issued under the provisions of the Adjusted Compensation Payment Act of 1936, fiscal year 1939, \$22,000.

Adjusted Compensation Payment Act, 1936, administrative expenses.  
49 Stat. 1099.  
38 U. S. C., Supp. IV, §§ 686-688b.

### DIVISION OF PRINTING

**Printing and binding:** For an additional amount for printing and binding, Treasury Department, fiscal year 1937, including the same objects specified under this head in the Treasury Department Appropriation Act, 1937, \$10,484.

Printing and binding.

49 Stat. 1830.

**Stationery:** For an additional amount for stationery for the Treasury Department, fiscal year 1937, including the same objects specified under this head in the Treasury Department Appropriation Act, 1937, \$3,600.

Stationery.

49 Stat. 1830.

### BUREAU OF INTERNAL REVENUE

**Salaries and administrative expenses for refunding processing and related taxes and administering title III, Revenue Act of 1936:** For an additional amount for salaries and expenses in connection with (1) the assessment and collection of the tax on unjust enrichment imposed by title III, Revenue Act of 1936, (2) the making of refunds and payments of processing and related taxes, as authorized by titles IV and VII of the Revenue Act of 1936, and (3) the refund of taxes collected under the Cotton Act of April 21, 1934, as amended (48 Stat. 598), the Tobacco Act of June 28, 1934, as amended (48 Stat. 1275), and the Potato Act of August 24, 1935 (49 Stat. 782), as authorized by the Second Deficiency Appropriation Act, fiscal year 1938, including the same objects specified under this head in the Treasury Department Appropriation Act, 1940, \$750,000, of which amount not to exceed \$380,000 may be expended for personal services in the District of Columbia.

Salaries and expenses.  
Refund of processing, etc., taxes.  
49 Stat. 1734.

49 Stat. 1739, 1747.  
Tax refunds under designated acts.  
48 Stat. 598, 1275; 49 Stat. 782.

52 Stat. 1150.

*Ante*, p. 661.

The date appearing in the first proviso of the second paragraph of the appropriation "Refunds and Payments of Processing and Related Taxes, Bureau of Internal Revenue, 1939", contained in the Second Deficiency Appropriation Act, fiscal year 1938, is hereby changed from "July 1, 1939", to "July 1, 1940".

Claims for refunds, date for filing.

52 Stat. 1150.

### COAST GUARD

**Pay and allowances:** For an additional amount for pay and allowances, fiscal year 1940, including the same objects specified under this head in the Treasury Department Appropriation Act, 1940, \$95,937.

Pay and allowances.

*Ante*, p. 664.

Retired pay, former life-saving service.

48 Stat. 432.

Superintendent, U.S. Coast Guard Academy, contingencies.  
*Ante*, p. 664.

*Ante*, p. 582.

Air stations; additional airplanes.

52 Stat. 1151.

Office of the Commandant, salaries.

Limitation.

*Ante*, p. 663.

Retired pay, former life-saving service: For an additional amount for retired pay, former life-saving service, 1935, including the same objects specified under this head in the Treasury Department Appropriation Act, 1935, \$328.12.

Not to exceed \$2,500 of the amount appropriated for "Contingent Expenses, Coast Guard", in the Treasury Department Appropriation Act, 1940, is hereby made available for contingencies for the Superintendent, United States Coast Guard Academy, as authorized by the Act of April 20, 1939.

The unexpended balances of the appropriations under the headings "Air station, Elizabeth City, North Carolina", "Air station, San Francisco, California", and "Additional airplanes", fiscal years 1938 and 1939, contained in the Second Deficiency Appropriation Act, fiscal year 1938, are hereby continued available for the same purposes until June 30, 1940.

The appropriation for salaries, Office of the Commandant, United States Coast Guard, for the fiscal year 1940, and such portion of the appropriation for salaries, Bureau of Lighthouses, fiscal year 1940, as the Director of the Bureau of the Budget with the approval of the President may determine, shall be transferred and consolidated into an appropriation "Salaries, Office of Commandant, United States Coast Guard, 1940, subject, however, to the limitation contained in the Treasury Department Appropriation Act, 1940, upon the appropriation for salaries, Office of the Commandant, United States Coast Guard".

#### PROCUREMENT DIVISION, BRANCH OF SUPPLY

Salaries and expenses.

*Ante*, p. 673.

Transfer of funds to Branch of Supply.

Salaries and expenses: The text of the appropriation for Salaries and Expenses, Branch of Supply, Procurement Division, contained in the Treasury Department Appropriation Act, 1940, is modified as follows:

(a) The first proviso is hereby amended to read as follows: "*Provided*, That the Secretary of the Treasury is authorized and directed during the fiscal year 1940 to transfer to this appropriation from any appropriations or funds available to the several departments and establishments of the Government for the fiscal year 1940 such amounts as may be approved by the Director of the Bureau of the Budget, not to exceed the sum of (a) the amount of the annual compensation of employees who may be transferred or detailed to the Procurement Division, Branch of Supply, respectively, from any such department or establishment, where the transfer or detail of such employees is incident to a transfer of a function or functions to that Division, and (b) such amount as the Director of the Bureau of the Budget may determine to be necessary for expenses other than personal services incident to the proper carrying out of functions so transferred."

Personal services.

(b) The fourth proviso limiting to \$700,000 the amount which shall be available from the general supply fund for personal services, is hereby amended to read as follows: "*Provided further*, That not to exceed \$2,000,000 shall be available from the general supply fund during the fiscal year 1940 for personal services."

General supply fund.

45 Stat. 1342.  
41 U. S. C. § 7c.

Strategic and critical materials.

*Ante*, p. 811.

General supply fund: To increase the general supply fund established by the Act approved February 27, 1929 (41 U. S. C. 7c), as amended, fiscal year 1940, \$2,000,000.

Strategic and critical materials: For all necessary expenses for the acquisition, transportation, maintenance, storage, and rotation of strategic and critical materials in accordance with sections 1 to 6, inclusive, of the Act of June 7, 1939 (Public, Numbered 117, Seventy-sixth Congress), including personal services and rental and mainte-

nance of storage space in the District of Columbia and elsewhere; payment of part-time or intermittent employment in the District of Columbia, or elsewhere, of such scientists and technicians as may be contracted for by the Secretary of the Treasury, in his discretion, at a rate of pay not exceeding \$25 per diem for any person so employed; printing and binding; and traveling expenses; fiscal year 1940, to continue available until expended, \$10,000,000: *Provided*, That when, in order to prevent deterioration, materials purchased with funds from this appropriation are issued to other departments and agencies of the Government, or sold, reimbursement therefor or the proceeds of such sale shall be credited to this appropriation.

*Proviso.*  
Sale of materials, reimbursement, etc.

## WAR DEPARTMENT

### MILITARY ACTIVITIES

#### SALARIES, WAR DEPARTMENT

Salaries, Office of Inspector General: For an additional amount for salaries, Office of the Inspector General, fiscal year 1940, \$6,000.

Office of Inspector General.

#### QUARTERMASTER CORPS

Military posts: For an additional amount for construction and installation of buildings, flying fields, and appurtenances thereto, including the same objects specified under this head in the Supplemental Military Appropriation Act, 1940, \$8,431,300, to remain available until June 30, 1941, and, in addition, the Quartermaster General, when authorized by the Secretary of War, may enter into contracts prior to July 1, 1940, for the same purposes, to an amount not in excess of \$8,500,000, and his action in so doing shall be deemed a contractual obligation of the Federal Government for the payment of the cost thereof.

Military posts, construction, etc.

*Ante*, p. 994.

Contracts.

Military posts: Not to exceed \$300,000 of the amount of \$689,500 appropriated in the Military Appropriation Act, 1940, for construction of barracks and telephone construction at Fort Clayton, Panama Canal Zone, is hereby made available for such construction at the Corozal General Depot, Panama Canal Zone, instead of at Fort Clayton as authorized by the Act of August 26, 1937 (50 Stat. 861).

Corozal General Depot, Canal Zone, construction, etc.  
*Ante*, p. 602.

Acquisition of land for radiobeacons, Army: Not to exceed \$3,000 of the unexpended balance of the appropriation under this head in the Military Appropriation Act, 1939, is hereby made available until expended for the acquisition of an addition to the site for the radiobeacon in the vicinity of Langley Field, Virginia, as authorized by the Act of August 12, 1935 (49 Stat. 610).

50 Stat. 861.  
Acquisition of land for radiobeacons, Army.  
Langley Field, Va.  
52 Stat. 652.  
49 Stat. 610.  
10 U. S. C., Supp. IV, §§ 1343a-1343d.

Acquisition of land, Republic of Panama: So much of the appropriation for the acquisition of land in the Republic of Panama contained in the Supplemental Military Appropriation Act, 1940, and so much of the appropriation for Seacoast Defenses, Panama Canal, contained in the Second Deficiency Appropriation Act, fiscal year 1939, as may be required therefor, are hereby made available, in addition to the acquisition of fee simple title to lands, for leasehold or other interests therein, the temporary use thereof, or right pertaining thereto, without reference to section 3648, Revised Statutes (31 U. S. C., 529): *Provided*, That the Secretary of War is authorized to accept donations of such land, temporary use thereof, or other interest therein, or right pertaining thereto.

Acquisition of land, Panama.

*Ante*, p. 994.

*Ante*, p. 644.

R. S. § 3648.  
31 U. S. C. § 529.  
*Proviso.*  
Acceptance of donations, etc.

#### CORPS OF ENGINEERS

Chorrera and Rio Hato Road, Republic of Panama: To enable the United States to cooperate with the Republic of Panama in connec-

Chorrera and Rio Hato Road, Panama.



*Ante*, p. 1071.

tion with the construction of a highway between Chorrera and Rio Hato, in the Republic of Panama, as authorized by the Act approved July 20, 1939 (Public, Numbered 200, Seventy-sixth Congress), \$1,500,000, fiscal year 1940, to remain available until expended.

## CIVIL FUNCTIONS

### CORPS OF ENGINEERS

Damage claims,  
river and harbor  
work.

41 Stat. 1015.  
33 U. S. C. § 564.

Claims for damages, river and harbor work: To pay claim for damages under river and harbor work adjusted and determined by the War Department under the provision of section 9 of the River and Harbor Act, approved June 5, 1920 (U. S. C., title 33, sec. 564), as set forth in House Document Numbered 414, Seventy-sixth Congress, \$587.50.

Nicaragua, investi-  
gation, etc., of canal  
and highway.

Investigation and survey of a canal and highway across the Republic of Nicaragua: For every expenditure requisite for and incident to an investigation and survey, with estimates of cost, for a barge canal and highway project across the Republic of Nicaragua, fiscal year 1940, to remain available until expended, \$100,000.

Flood control, Sac-  
ramento River, Calif.

*Ante*, p. 859.

39 Stat. 949; 45 Stat.  
539; 50 Stat. 849; *ante*,  
p. 859.  
33 U. S. C. §§ 703,  
704.

Flood control, general: Not to exceed \$1,258,000 of the amount of \$133,000,000 appropriated under this head in the War Department Civil Appropriation Act, 1940, is hereby made available for prosecuting work of flood control on the Sacramento River, California, in accordance with the provisions of the Acts approved March 1, 1917, May 15, 1928, and August 26, 1937 (33 U. S. C. 703, 704; 50 Stat. 849; Public, Numbered 154, Seventy-sixth Congress).

## TITLE II—JUDGMENTS AND AUTHORIZED CLAIMS

### PROPERTY DAMAGE CLAIMS

Property damage  
claims.

42 Stat. 1066.  
31 U. S. C. §§ 215-  
217.

SEC. 201. (a) For the payment of claims for damages to or losses of privately owned property, adjusted and determined by the following respective departments and independent offices, under the provisions of the Act entitled "An Act to provide a method for the settlement of claims arising against the Government of the United States in the sums not exceeding \$1,000 in any one case", approved December 28, 1922 (U. S. C., title 31, secs. 215-217), as fully set forth in House Document Numbered 412 of the Seventy-sixth Congress, as follows:

Federal Emergency Administration of Public Works, \$13.75;  
National Emergency Council, \$12;  
Veterans' Administration, \$131.40;  
Works Progress Administration, \$3,590.58;  
Department of Agriculture, \$4,316.48;  
Department of Commerce, \$315.75;  
Department of the Interior, \$2,225.36;  
Department of Labor, \$45.54;  
Navy Department, \$1,742.71;  
Treasury Department, \$238.13;  
War Department, \$6,547.12;  
Post Office Department (payable from postal revenues), \$567.25;  
In all, \$19,746.07.

(b) For the payment of claims for damages to or losses of privately owned property adjusted and determined by the following respective departments and independent offices, under the provisions of the Act entitled "An Act to provide a method for the settlement of claims arising against the Government of the United States in the sums not exceeding \$1,000 in any one case", approved December 28, 1922

(U. S. C., title 31, secs. 215–217), as fully set forth in Senate Document Numbered 102 of the Seventy-sixth Congress, as follows:

42 Stat. 1066.  
31 U. S. C. §§ 215–217.

Federal Works Agency:

Work Projects Administration, \$488.14;  
Department of Agriculture, \$323.67;  
Department of the Interior, \$87.43;  
Navy Department, \$126.61;  
War Department, \$2,393.52;  
In all, \$3,419.37.

JUDGMENTS, UNITED STATES COURTS

SEC. 202. (a) For the payment of a judgment, including costs of suit, which has been rendered under the provisions of the Act of March 3, 1887, entitled "An Act to provide for the bringing of suits against the Government of the United States", as amended by section 297 of the Act of March 3, 1911 (28 U. S. C. 761), certified to the Seventy-sixth Congress in House Document Numbered 416, under the following Department: State Department, \$2,149; together with such additional sum as may be necessary to pay interest as specified in such judgment or as provided by law.

Judgments, U. S. courts.

24 Stat. 506; 36 Stat. 1168.  
28 U. S. C. § 761.

Interest.

(b) For the payment of judgments, including costs of suits, rendered against the Government of the United States by United States district courts under the provisions of an Act entitled "An Act authorizing suits against the United States in admiralty for damages caused by and salvage services rendered to public vessels belonging to the United States, and for other purposes", approved March 3, 1925 (46 U. S. C. 781–789), certified to the Seventy-sixth Congress in House Document Numbered 416, under the following Departments:

Suits in admiralty.

43 Stat. 1112.  
46 U. S. C. §§ 781–790.

Navy Department, \$4,136;  
Treasury Department, \$2,225;  
War Department, \$419.45;

In all \$6,780.45, together with such additional sum as may be necessary to pay interest as specified in such judgments or as provided by law.

Interest.

(c) For the payment of judgments including costs of suit, rendered against the Government of the United States pursuant to authority contained in Private Act Numbered 495, Seventy-fifth Congress (52 Stat. 1299–1300), and the Act of March 3, 1875 (18 Stat. 481, ch. 149), certified to the Seventy-sixth Congress in Senate Document Numbered 112 and House Document Numbered 416, under the following establishments:

Judgments in designated cases.

52 Stat. 1299; 18 Stat. 481.  
31 U. S. C. § 227.

United States Maritime Commission, \$3,927.30;  
General Accounting Office, \$8,315.02;

In all, \$12,242.32,

together with such additional sum as may be necessary to pay such additional costs in the Private Act case, if any, as are properly taxable in a suit prosecuted under the Tucker Act.

Additional costs.

(d) None of the judgments contained under this caption shall be paid until the right of appeal shall have expired except such as have become final and conclusive against the United States by failure of the parties to appeal or otherwise.

24 Stat. 505.

Time for payment of judgments.

(e) Payment of interest wherever provided for judgments contained in this Act shall not in any case continue for more than thirty days after the date of approval of the Act.

Interest, time limitation.

JUDGMENTS, COURT OF CLAIMS

SEC. 203. (a) For payment of the judgments rendered by the Court of Claims and reported to the Seventy-sixth Congress in Senate Doc-

Judgments, Court of Claims.

ument Numbered 113, and House Document Numbered 410, under the following departments and establishments, namely:

Interstate Commerce Commission, \$4,768.46;

Food Administration, \$122,919.40;

Civil Works Administration, \$2,880.65;

Veterans' Administration, \$30,016.10;

Department of Agriculture, \$47,500;

Department of Labor, \$19,828.71;

Navy Department, \$510,454.34;

Treasury Department, \$78,426.83;

War Department, \$507,849.81;

Interest.

Land O' Lakes  
Creameries, Inc.,  
judgment.

Time for payment  
of judgments.

In all, \$1,324,644.30, together with such additional sum as may be necessary to pay interest as and where specified in such judgments. Judgment Numbered 43363 in favor of the Land O'Lakes Creameries, Inc. (a corporation) set forth in said House Document Numbered 410 under the War Department shall be charged against the Department of Agriculture.

(b) None of the judgments contained under this caption shall be paid until the right of appeal shall have expired, except such as have become final and conclusive against the United States by failure of the parties to appeal or otherwise.

#### AUDITED CLAIMS

Audited claims.

18 Stat. 110,  
31 U. S. C. § 713.

23 Stat. 254,  
5 U. S. C. § 266.

Legislative.  
Independent Offices.

SEC. 204. (a) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1936 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in House Document Numbered 418, Seventy-sixth Congress, there is appropriated as follows:

**Legislative:** For library building and grounds, \$1,783.95.

**Independent Offices:** For Federal Civil Works Administration, \$48.55.

For National Industrial Recovery, Civil Works Administration, \$4.50.

For National Industrial Recovery, National Recovery Administration, \$16.66.

For Public Works Administration, allotment to National Emergency Council, \$22.84.

For salaries and expenses, United States Employees' Compensation Commission, \$7.

For salaries and expenses, Federal Communications Commission, \$317.67.

For Interstate Commerce Commission, \$181.75.

For United States Tariff Commission, \$40.09.

For pay of other employees, Public Health Service, \$25.28.

For furniture and repairs of same for public buildings, \$21.94.

For general expenses of public buildings, Procurement Division, \$40.

For general expenses, Procurement Division, \$270.85.

For mechanical equipment for public buildings, \$38.21.

For operating supplies for public buildings, Procurement Division, \$1.73.

For operating expenses, Treasury Buildings, Procurement Division, \$2.33.

For repairs, preservation and equipment, public buildings, Procurement Division, \$2.97.

For salaries and expenses, public buildings and grounds in the District of Columbia, National Park Service, \$47.80.

For Army pensions, \$155.55.

For Army and Navy pensions, \$59.20.

For increase of compensation, Veterans' Bureau, \$10.67.

For military and naval compensation, Veterans' Bureau, \$20.10.

For medical and hospital services, Veterans' Bureau, \$431.08.

For salaries and expenses, Veterans' Administration, \$1,636.45.

**Department of Agriculture:** For salaries and expenses, Extension Service, \$76.04. Department of Agriculture.

For salaries and expenses, Weather Bureau, \$2.31.

For salaries and expenses, Bureau of Animal Industry, \$11.01.

For salaries and expenses, Bureau of Plant Industry, \$3,693.85.

For salaries and expenses, Forest Service, \$81.82.

For salaries and expenses, Bureau of Entomology and Plant Quarantine, 50 cents.

For salaries and expenses, Bureau of Agricultural Economics, \$4.84.

For salaries and expenses, Food and Drug Administration, \$2.72.

For salaries and expenses, Soil Conservation Service, \$9.87.

For grasshopper control, \$71.54.

For enforcement of the United States Cotton Futures Act and United States Cotton Standards Act, \$12.21.

For payment to officers and employees of the United States in foreign countries due to appreciation of foreign currencies (Agriculture), \$31.61.

For emergency conservation fund (transfer from War to Agriculture, Act March 31, 1933), \$1,763.62. 48 Stat. 22.

For emergency conservation fund (transfer from War to Agriculture, Act June 19, 1934), \$85.10. 48 Stat. 1055.

For exportation and domestic consumption of agricultural commodities, Department of Agriculture, \$2,891.70.

For loans and relief in stricken agricultural areas (transfer to Agriculture), \$42.41.

For National Industrial Recovery, Agricultural Adjustment Administration, \$79.28.

For elimination of diseased cattle, Department of Agriculture, \$50.

For general expenses, Agricultural Adjustment Administration, \$3,647.95.

For working fund, Agriculture, Animal Industry (Agricultural Adjustment Administration), \$267.67.

For agricultural credits and rehabilitation, Emergency Relief, \$139.55.

For farmers' crop production and harvesting loans, Farm Credit Administration, \$297.91.

For loans to farmers in drought and storm-stricken areas, Emergency Relief, \$99.89.

For loans and relief in stricken agricultural areas (transfer to Farm Credit Administration), \$335.13.

**Department of Commerce:** For air-navigation facilities, \$392.61. Department of Commerce.

For salaries and expenses, Bureau of Navigation and Steamboat Inspection, \$3.15.

For transportation of families and effects of officers and employees, Bureau of Foreign and Domestic Commerce, \$411.66.

For payment to officers and employees of the United States in foreign countries due to appreciation of foreign currencies (Commerce), \$1.91.

Department of the  
Interior.

**Department of the Interior:** For surveying the public lands, \$1.30.

For Geological Survey, \$16.60.

For working fund, Interior, National Park Service (emergency relief, surplus relief, National Industrial Recovery), \$10.

For operating rescue cars and stations and investigation of accidents, Bureau of Mines, 34 cents.

For National Park Service, \$428.79.

For salaries and expenses, Bureau of Biological Survey, \$17.02

For migratory bird conservation refuges, \$1.13.

48 Stat. 1053.

For emergency conservation fund (transfer from War to Interior, Indians, Act June 19, 1934), \$148.64.

48 Stat. 22.

For emergency conservation fund (transfer from War to Interior, Indians, Act March 31, 1933), \$5.04.

For purchase and transportation of Indian supplies, \$10.52.

For Indian boarding schools, \$396.02.

For support of Indians and administration of Indian property, \$62.14.

For Indian school support, \$789.08.

For conservation of health among Indians, \$1,689.99.

For Indian service supply fund, \$73.91.

For fulfilling treaties with Sioux of different tribes, including Santee Sioux of Nebraska, North Dakota, and South Dakota, \$4.37.

For agriculture and stock raising among Indians, \$32.10.

For education, Sioux Nation, \$1.07.

For pay of Indian police, \$10.27.

For administration of Indian forests, \$17.34.

For water supply for Indians in Arizona and New Mexico, \$27.82.

For irrigation, Indian reservations, \$2.

Department of Jus-  
tice.

**Department of Justice:** For salaries, fees, and expenses of marshals, United States courts, \$578.33.

For fees of jurors and witnesses, United States courts, \$51.40.

For support of United States prisoners, \$93.75.

For miscellaneous expenses, United States courts, \$370.44.

For fees of commissioners, United States courts, \$11.50.

For salaries and expenses of clerks, United States courts, \$8.10.

For fees and expenses of conciliation commissioners, United States courts, \$325.

For supplies for United States courts, \$7.50.

For United States southwestern reformatory, maintenance, \$226.95.

For prison camps, maintenance, \$25.93.

For salaries and expenses, Bureau of Prisons, 75 cents.

For salaries and expenses of district attorneys, United States courts, 50 cents.

For salaries and expenses, Bureau of Prisons, \$73.66.

Department of La-  
bor.

**Department of Labor:** For salaries and expenses, Commissioners of Conciliation, 75 cents.

For salaries and expenses, Immigration and Naturalization Service, \$366.86.

Navy Department.

**Navy Department:** For payment to officers and employees of the United States in foreign countries due to appreciation of foreign currencies (Navy), \$919.62.

For transportation, Bureau of Navigation, \$7.45.

For gunnery and engineering exercises, Bureau of Navigation, \$5.

For organizing the Naval Reserve, \$429.84.

For engineering, Bureau of Engineering, \$108.

For construction and repair, Bureau of Construction and Repair, \$204.

For ordnance and ordnance stores, Bureau of Ordnance, \$37.01.

For fuel and transportation, Bureau of Supplies and Accounts, \$60.30.

For maintenance, Bureau of Supplies and Accounts, \$242.82.

For pay, subsistence, and transportation, Navy, \$7,014.76.

For pay of the Navy, \$1,537.87.

For general expenses, Marine Corps, \$137.45.

For pay, Marine Corps, \$3,890.83.

For aviation, Navy, \$21,605.61.

For increase of the Navy, emergency construction, \$8,778.

**Department of State:** For payment to officers and employees of the United States in foreign countries due to appreciation of foreign currencies (State), \$54.23.

Department of State.

For transportation of foreign service officers, \$181.37.

**Treasury Department:** For payment to officers and employees of the United States in foreign countries due to appreciation of foreign currencies (Treasury), \$9.64.

Treasury Department.

For collecting the revenue from customs, \$118.78.

For collecting the internal revenue, \$462.81.

For enforcement of Narcotic and National Prohibition Acts, internal revenue, \$92.50.

For salaries and expenses, Bureau of Narcotics, \$11.35.

For Coast Guard, \$3.16.

For contingent expenses, Coast Guard, \$2.43.

For outfits, Coast Guard, \$5.03.

For communication lines, Coast Guard, \$5.86.

For retired pay, former Life Saving Service, \$2,602.44.

For pay and allowances, Coast Guard, \$802.35.

For salaries and expenses, Bureau of Engraving and Printing, \$12.42.

For general expenses, Lighthouse Service, \$177.69.

For salaries, lighthouse vessels, \$7.58.

**War Department:** For pay, and so forth, of the Army, \$5,209.58.

War Department.

For pay of the Army, \$448.08.

For extra pay to volunteers, War with Spain, \$426.64.

For Reserve Officers' Training Corps, \$14.59.

For National Guard, \$124.08.

For Organized Reserves, \$112.34.

For Army transportation, \$243.21.

For increase of compensation, Military Establishment, \$852.60.

For Air Corps, Army, \$1.52.

For pay, and so forth, of the Army, War with Spain, \$38.01.

For travel of the Army, \$243.04.

For travel, military and civil personnel, War Department, \$330.63.

For replacing ordnance and ordnance stores, \$17.45.

For supplies, services, and transportation, Quartermaster Corps, \$216.14.

For clothing and equipage, \$17.13.

For general appropriations, Quartermaster Corps, \$15,617.52.

For arming, equipping, and training the National Guard, \$763.79.

For Engineer service, Army, \$4,863.75.

For medical and hospital department, Army, \$75.50.

For medical and hospital department, \$14.92.

For barracks and quarters, \$16.64.

For ordnance service and supplies, Army, \$204.60.

For subsistence of the Army, \$43.91.

For Signal Service of the Army, \$3,763.75.

For pay of National Guard for armory drills, \$3.

For claims of officers and men of the Army for destruction of private property (Act March 3, 1885), \$65.47.

23 Stat. 350.

For payment to officers and employees of the United States in foreign countries due to appreciation of foreign currencies (War), \$60.36.

	For cemeterial expenses, War Department, \$129.29.
48 Stat. 22.	For emergency conservation fund (transfer to War, Act March 31, 1933), \$374.60.
48 Stat. 1055.	For emergency conservation fund (transfer to War, Act June 19, 1934), \$3,028.51.
48 Stat. 1055.	For loans and relief in stricken agricultural areas (transfer from emergency conservation work to War, Act June 19, 1934), \$10,190.40.
Post Office Department.	<b>Post Office Department—Postal Service (out of the postal revenues):</b> For clerks, first- and second-class post offices, \$56.83.
	For clerks, third-class post offices, \$6.90.
	For compensation to postmasters, \$20.20.
	For freight, express, or motor transportation of equipment, and so forth, \$30.88.
	For furniture, carpets, and safes for public buildings, Post Office Department, \$12.81.
	For indemnities, domestic mail, \$142.43.
	For miscellaneous items, first- and second-class post offices, \$7.84.
	For operating force for public buildings, Post Office Department, \$11.23.
	For railroad transportation and mail-messenger service, \$369.60.
	For railway postal clerks, travel allowance, \$4.
	For rent, light, and fuel, \$50.
	For Rural Delivery Service, \$593.95.
	For village-delivery service, \$17.10.
Total; additional sum, increases in rates of exchange.	Total, audited claims, section 204 (a), \$123,944.96, together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency as specified in certain of the settlements of the General Accounting Office.
Additional audited claims.	(b) For the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been carried to the surplus fund under the provisions of section 5 of the Act of June 20, 1874 (31 U. S. C. 713), and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1936 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the Act of July 7, 1884 (5 U. S. C. 266), as fully set forth in Senate Document Numbered 114, Seventy-sixth Congress, there is appropriated as follows:
18 Stat. 110. 31 U. S. C. § 713.	<b>Legislative:</b> For contingent expenses, Library of Congress, \$150.
	<b>Independent Offices:</b> For Federal Civil Works Administration, \$80.76.
	For salaries and expenses, Federal Communications Commission, \$47.70.
	For maintenance of air-navigation facilities, Civil Aeronautics Authority, \$12.31.
	For maintenance, National Institute of Health, \$20.60.
	For salaries and expenses, public buildings, outside the District of Columbia, National Park Service, \$2.
	For Army and Navy pensions, \$40.
	For medical and hospital services, Veterans' Bureau, \$1.
	For salaries and expenses, Veterans' Administration, \$75.70.
Department of Agriculture.	<b>Department of Agriculture:</b> For salaries and expenses, Forest Service, \$45.60.
	For salaries and expenses, Bureau of Agricultural Economics, 84 cents.
	For salaries and expenses, Soil Conservation Service, \$2.25.
	For salaries and expenses, Bureau of Entomology and Plant Quarantine, 95 cents.
	For plant reserve stations, Soil Conservation Service, \$33.65.

For grasshopper control, \$7.50.

For working fund, Agriculture, Animal Industry (Agricultural Adjustment Administration), \$116.13.

For loans and relief in stricken agricultural areas (transfer to Agriculture), \$1,506.90.

For loans to farmers in drought- and storm-stricken areas, emergency relief, \$13.42.

For conservation and use of agricultural land resources, Department of Agriculture, \$56.09.

For elimination of diseased cattle, Department of Agriculture, \$315.

For exportation and domestic consumption of agricultural commodities, Department of Agriculture, \$255.38.

For National Industrial Recovery, Resettlement Administration, submarginal lands (transfer to Agriculture), \$2,403.40.

**Department of Commerce:** For air-navigation facilities, \$92.25.

For National Industrial Recovery, Commerce, Aeronautics, \$88.80.

**District of Columbia:** For Freedmen's Hospital, District of Columbia, \$234.

**Emergency relief:** For emergency relief, Agriculture, Soil Conservation Service, flood control, and other conservation, \$33.36.

For emergency relief, Resettlement Administration, sanitation, prevention of soil erosion, and so forth, \$3,698.70.

For emergency relief, Navy, yards and docks, \$5.56.

For emergency relief, Works Progress Administration (non-Federal projects approved prior to June 22, 1936), \$78.58.

For emergency relief, Works Progress Administration, assistance for educational, professional, and clerical persons, \$122.10.

For emergency relief, Emergency Conservation Work, War, Civilian Conservation Corps, \$630.90.

For emergency relief, Emergency Conservation Work, Interior, Indians, miscellaneous projects Indian reservations, \$75.

For emergency relief, War, rivers and harbors, flood control, and so forth, \$3.55.

For emergency relief, Works Progress Administration, grants to States, and so forth, \$110.82.

For emergency relief, Works Progress Administration, highways, roads, and streets, \$141.03.

For emergency relief, Works Progress Administration, public buildings, \$24.30.

For emergency relief, Works Progress Administration, public utilities, and so forth, \$164.40.

**Department of the Interior:** For salaries and expenses, Bureau of Biological Survey, \$9.48.

For salaries, General Land Office, \$70.

For National Industrial Recovery, Interior, National Park Service, recreational demonstration projects, \$54,320.24.

For irrigation, Indian reservations, \$117.09.

For Indian school support, \$2,001.85.

For Indian school buildings, 38 cents.

For support of Indians and administration of Indian property, \$7.98.

For conservation of health among Indians, \$91.41.

For Indian agency buildings, \$19.58.

**Department of Justice:** For salaries, fees, and expenses of marshals, United States courts, \$159.62.

For fees of jurors and witnesses, United States courts, \$15.78.

For support of United States prisoners, \$239.

For salaries and expenses, Bureau of Prisons, \$3.

For miscellaneous expenses, United States courts, \$21.36.

Department of Commerce.

District of Columbia.

Emergency relief.

Department of the Interior.

Department of Justice.



Department of Labor.

**Department of Labor:** For salaries and expenses, Immigration and Naturalization Service, \$38.35.

Navy Department.

**Navy Department:** For pay, subsistence, and transportation, Navy, \$19,430.44.

For pay of the Navy, \$216.83.

For maintenance, Bureau of Supplies and Accounts, \$146.96.

For pay, Marine Corps, \$17.63.

For general expenses, Marine Corps, \$16.65.

For aviation, Navy, \$62,159.71.

For increase of the Navy, emergency construction, \$119,223.65.

For organizing the Naval Reserve, \$3.92.

For miscellaneous expenses, Navy, \$1.84.

For ordnance and ordnance stores, Bureau of Ordnance, \$126,515.04.

For payment to officers and employees of the United States in foreign countries due to appreciation of foreign currencies (Navy), \$60.45.

Treasury Department.

**Treasury Department:** For collecting the internal revenue, \$3.51.

For fuel and water, Coast Guard, \$6.

For compensation of employees, Bureau of Engraving and Printing, \$2.72.

For increase of compensation, Treasury Department, 81 cents.

For salaries and expenses, Bureau of Engraving and Printing, \$4.83.

For collecting the revenue from customs, \$3.30.

War Department.

**War Department:** For general appropriations, Quartermaster Corps, \$4,685.49.

For pay, and so forth, of the Army, \$972.61.

For pay of the Army, \$784.80.

For arming, equipping, and training the National Guard, \$6.60.

For Army transportation, \$121.23.

For National Guard, \$112.68.

For increase of compensation, Military Establishment, \$56.11.

For barracks and quarters, \$21.86.

For Reserve Officers' Training Corps, \$18.77.

For Organized Reserves, \$4.95.

For ordnance service and supplies, Army, \$8.15.

For travel of the Army, \$5.52.

For clothing and equipage, \$3.45.

For clothing and equipage, Army, \$57.42.

48 Stat. 22.

For emergency conservation fund (transfer to War, Act March 31, 1933), \$198.16.

48 Stat. 1055.

For emergency conservation fund (transfer to War, Act June 19, 1934), \$281.18.

49 Stat. 1608.

For emergency conservation work (transfer to War, Act June 22, 1936), \$2,256.02.

50 Stat. 10.

For emergency conservation work (transfer to War, Act February 9, 1937), \$4,451.47.

48 Stat. 1055.

For loans and relief in stricken agricultural areas (transfer from emergency conservation work to War, Act June 19, 1934), \$1.68.

Post Office Department.

**Post Office Department—Postal Service (out of the postal revenues):** For city-delivery carriers, \$24.68.

For indemnities, domestic mail, \$30.63.

For rent, light, and fuel, \$450.

For Rural Delivery Service, \$25.04.

For Star Route Service, \$1.85.

For transportation of equipment and supplies, \$80.69.

For vehicle service, \$11.96.

For village-delivery service, \$4.90.

Total, audited claims, section 204 (b), \$410,297.84, together with such additional sum due to increases in rates of exchange as may be necessary to pay claims in the foreign currency as specified in certain of the settlements of the General Accounting Office.

SEC. 205. Judgments against collectors of customs: For the payment of a claim allowed by the General Accounting Office covering a judgment rendered by the United States District Court for the Southern District of New York against the collector of customs, where a certificate of probable cause has been issued, as provided under section 989, Revised Statutes (28 U. S. C. 842), and certified to the Seventy-sixth Congress in House Document Numbered 415, under the Treasury Department, \$1,358.20.

SEC. 206. The provisions of section 3 of the Department of Labor Appropriation Act, 1940, are hereby made applicable as of July 1, 1939, to the appropriations contained in the Act entitled "An Act making appropriations for the Departments of State and Justice and for the Judiciary, and for the Department of Commerce, for the fiscal year ending June 30, 1940, and for other purposes", approved June 29, 1939.

SEC. 207. This Act may be cited as the "Third Deficiency Appropriation Act, fiscal year 1939".

Approved, August 9, 1939.

Total; additional sum, increases in rates of exchange.

Judgments against collectors of customs.

R. S. § 989,  
28 U. S. C. § 842.

Citizenship requirements.  
*Ante*, p. 926.

*Ante*, p. 885.

Short title.

#### [CHAPTER 634]

#### AN ACT

To provide for the erection of a public historical museum in the Custer Battlefield National Cemetery, Montana.

August 10, 1939

[S. 28]

[Public, No. 362]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of War is authorized and directed (1) to select a site within the Custer Battlefield National Cemetery, Montana; (2) to erect and maintain thereon, as a memorial to Lieutenant Colonel George A. Custer and the officers and soldiers under his command at the Battle of Little Big Horn River, June 25, 1876, a public museum suitable for housing a collection of historical relics; (3) to accept on behalf of the United States for exhibit in such museum the collection of relics now a part of the estate of Mrs. George A. Custer, deceased, the wife of such Lieutenant Colonel George A. Custer; and (4), in his discretion, to accept such other historical relics as he may deem appropriate for exhibit therein.

SEC. 2. The Secretary of War is authorized and directed, notwithstanding any provision of law to the contrary, to do all things necessary to carry out the provisions of this Act, by contract or otherwise, with or without advertising, under such conditions as he may prescribe, including the engagement by contract of services of such architects, sculptors, artists, or firms, and such other technical and professional personnel as he may deem necessary, without regard to civil-service requirements and restrictions of law governing the employment and compensation of employees of the United States.

SEC. 3. There is hereby authorized to be appropriated the sum of \$25,000, or so much thereof as may be necessary, to carry out the provisions of this Act.

Approved, August 10, 1939.

Custer Battlefield  
National Cemetery,  
Mont.  
Erection, etc., of  
public museum with-  
in, authorized.

Acceptance for ex-  
hibit of historical re-  
lics.

Administrative  
duties of Secretary of  
War.

Engagement of tech-  
nical services.

Appropriation au-  
thorized.

## [CHAPTER 635]

## AN ACT

August 10, 1939  
[S. 882]  
[Public, No. 363]

To authorize the Postmaster General to contract for certain powerboat service in Alaska, and for other purposes.

Postal service,  
Alaska.  
Contracts for cer-  
tain powerboat serv-  
ice, authorized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Postmaster General may, in his discretion, contract for a period of not exceeding four years, without advertisement therefor, for the carriage of all classes of mail, by steamboat or other powerboat of United States registry, on the route from Seward, by points on Kenai Peninsula, Kodiak Island, Alaska Peninsula, the Aleutian Islands to Umnak Island, and points on Bristol Bay, Alaska, and vicinity, and back, by a schedule and under the conditions prescribed by the Postmaster General; the contractor to furnish and use in the service a safe and seaworthy boat of sufficient size to provide adequate space for mail, passengers, and freight, the annual cost not to exceed \$125,000, payment therefor to be made from the appropriation for powerboat service.

Annual cost; limita-  
tion.

Approved, August 10, 1939.

## [CHAPTER 636]

## AN ACT

August 10, 1939  
[S. 1540]  
[Public, No. 364]

To adjust the compensation of the members of the National Advisory Health Council not in the regular employment of the Government.

National Advisory  
Health Council.  
Adjustment of com-  
pensation of certain  
members.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That hereafter the members of the National Advisory Health Council not in the regular employment of the Government, appointed in accordance with section 5 of the Act approved July 1, 1902 (32 Stat. 713), and section 13 of the Act approved April 9, 1930 (46 Stat. 152; U. S. C., title 42, sec. 21), shall, while serving in conference, each receive compensation at a rate to be fixed by the Federal Security Administrator but not to exceed \$25 per diem. The Surgeon General of the Public Health Service is hereby authorized to utilize the services of any such member or members, in connection with conference matters, for such periods in addition to the conference period as he may determine; and any such member or members shall receive for each day of such service compensation at a rate to be fixed by the Federal Security Administrator but not to exceed \$25 per diem, together with allowances for actual and necessary traveling expenses and hotel expenses while so employed. Nothing contained in this Act shall be construed as affecting the allowances for travel and other expenses to which members of the National Advisory Health Council may be entitled by law.

32 Stat. 713; 46 Stat.  
152.  
42 U. S. C. § 21.  
Limitation.

Utilization of mem-  
bers' services addi-  
tional to conference  
periods.

Compensation and  
allowances.

Regular travel, etc.,  
expenses not affected.

Approved, August 10, 1939.

## [CHAPTER 637]

## AN ACT

August 10, 1939  
[S. 2242]  
[Public, No. 365]

Creating the Memphis and Arkansas Bridge Commission; defining the authority, power, and duties of said Commission; and authorizing said Commission and its successors and assigns to construct, maintain, and operate a bridge across the Mississippi River at or near Memphis, Tennessee; and for other purposes.

Mississippi River.  
Bridge authorized  
across, at Memphis,  
Tenn.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That in order to facilitate interstate commerce, improve the postal service, and provide for military and other purposes, the Memphis and Arkansas Bridge

Commission (hereinafter created, and hereinafter referred to as the "Commission"), and its successors and assigns be, and are hereby, authorized to construct, maintain, and operate a bridge and approaches thereto, across the Mississippi River at or near the city of Memphis, Tennessee, at a point suitable to the interest of navigation, in accordance with the provisions of the Act entitled "An Act to regulate the construction of bridges over navigable waters", approved March 23, 1906, subject to the conditions and limitations contained in this Act.

34 Stat. 84.  
33 U. S. C. §§ 491-498.

SEC. 2. There is hereby conferred upon the Commission and its successors and assigns the right and power to enter upon such lands and to acquire, condemn, occupy, possess, and use such real estate and other property in the State of Arkansas and the State of Tennessee, as may be needed for the location, construction, operation, and maintenance of any such bridge and its approaches, upon making just compensation therefor, to be ascertained and paid according to the laws of the State in which such real estate or other property is situated, and the proceedings therefor shall be the same as in the condemnation of private property for public purposes in said State, respectively. The Commission, its successors, and assigns are further authorized to enter into agreements with the States of Arkansas and Tennessee, and any political subdivision thereof, for the acquisition, lease, or use of any lands or property owned by such State or political subdivision.

Right to acquire  
real estate, etc.

SEC. 3. The Commission and its successors and assigns are hereby authorized to provide for the payment of the cost of such bridge as may be constructed, as provided herein, and approaches (including the approach highways which, in the judgment of the Commission, it is necessary or advisable to construct or cause to be constructed to provide suitable and adequate connection with existing improved highways) and the necessary lands, easements, and appurtenances thereto by negotiating and entering into a contract or contracts with the State Highway Commission of Tennessee, the State Highway Commission of Arkansas, Shelby County, Tennessee, Crittenden County, Arkansas, the city of Memphis, Tennessee, or any other county or municipality in the States of Arkansas and Tennessee, whereby the Commission may receive financial aid in financing said project, and said Commission, in its discretion, may avail itself of all the facilities of the State Highway Commission of Tennessee, the State Highway Commission of the State of Arkansas, or any county or municipality in the State of Tennessee and the State of Arkansas, with regard to the construction of said bridge, and the Commission may make and enter into any contract or contracts which it deems expedient and proper with the State Highway Commission of the State of Tennessee, the State Highway Commission of the State of Arkansas, or any county or municipality in the State of Tennessee and the State of Arkansas, whereby said highway departments, municipalities, or counties, or either of them, may construct, operate, and maintain, or participate with the Commission in the construction, operation, and maintenance of said bridge constructed hereunder, and approaches thereto. It is hereby declared to be the purpose of Congress to facilitate the construction of a bridge and proper approaches across the Mississippi River at or near Memphis, Tennessee, and to authorize the Commission to promote said object and purpose, with full power to contract with either the State Highway Commission of Tennessee, the State Highway Commission of Arkansas, or any municipality or county in the States of Tennessee and Arkansas, or all of them, in relation to the construction, operation, and maintenance of said bridge and approaches.

Contracts author-  
ized with certain com-  
missions, etc., for aid  
in financing project.

Extension of Federal aid for construction, out of State allotments.

39 Stat. 355; 42 Stat. 212.

23 U. S. C. chs. 1, 2; Supp. IV, chs. 1, 2.

Memphis and Arkansas Bridge Commission created; powers.

Membership of Commission.

Vacancies.

Secretary and other employees.

Payment of salaries and expenses.

Dissolution of Commission.

SEC. 4. Notwithstanding any restriction or limitation imposed by the Act entitled "An Act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes", approved July 11, 1916, or by the Federal Highway Act, or by an Act amendatory of, or supplemental to either thereof, the Secretary of Agriculture, or any other Federal department or agency of the United States Government, may extend Federal aid under such Acts for the construction of said bridge out of any money allocated to the State of Tennessee with the consent of the State highway commission of said State, and out of money allocated to the State of Arkansas with the consent of the highway department of said State.

SEC. 5. For the purpose of carrying into effect the objects stated in this Act, there is hereby created the Memphis and Arkansas Bridge Commission, and by that name, style, and title said body shall have perpetual succession, may contract, and be contracted with, sue and be sued, implead and be impleaded, complain and defend in all courts of law and equity; may make and have a common seal; may purchase or otherwise acquire and hold or dispose of real estate and other property; may accept and receive donations, grants, or gifts of money or property and apply the same to the purposes of this Act; and shall have and possess all powers necessary, convenient, or proper for carrying into effect the objects stated in this Act.

The Commission shall consist of E. H. Crump, Senior, E. W. Hale, Senior, Clifford Davis, Frank R. Ahlgren, W. H. Jasspon, William B. Fowler, Frank Gailor, and Will Gerber all residents and citizens of the State of Tennessee; and J. O. E. Beck, Senior, J. C. Johnson, J. Land Williams, W. W. Campbell, C. R. Walton, A. C. Oliver, J. L. Shaver, and James Crane, all residents and citizens of the State of Arkansas. Such Commission shall be a body corporate and politic. Each member of the Commission shall qualify within thirty days after his appointment by filing in the office of the Administrator of the Federal Works Agency an oath that he will faithfully perform the duties imposed upon him by this Act, and each person appointed to fill a vacancy shall file in like manner within thirty days after his appointment. Any vacancy occurring in said Commission by reason of failure to qualify as above provided, or by reason of death or resignation, shall be filled by the Administrator of the Federal Works Agency, and in filling such vacancy the Administrator of the Federal Works Agency shall at all times make the appointment so that the respective States shall at all times have the same representation on said Commission as herein provided. The Commission shall elect a chairman and vice chairman from its members, and shall establish rules and regulations for the government of its own business. A majority of the members shall constitute a quorum for the transaction of business. The Commission may employ a secretary, treasurer, engineers, attorneys, and such other experts, assistants, and employees as they may deem necessary, who shall be entitled to receive such compensation as the Commission may determine. All salaries and expenses shall be paid solely from the funds provided under the authority of this Act.

SEC. 6. Within six months after completion of the bridge, the Commission shall be dissolved and shall cease to have further existence by an order of the Commissioner of the Public Roads Administration, made upon his own initiative or upon application of the Commission or any member or members thereof, but only after a public hearing in the city of Memphis, Tennessee, notice of time and place of which hearing and the purpose thereof shall have been published once, at least thirty days before the date hereof, in a newspaper published in the cities of Memphis, Tennessee, and Little Rock,

Arkansas. At the time of such dissolution all moneys in the hands of or to the credit of the Commission shall be divided and distribution made between the interests of the States as may be determined by the terms and provisions of the contract or contracts that may be entered into between the parties thereto.

Division of moneys in hands of Commission.

SEC. 7. Nothing herein contained shall be construed to authorize or permit the Commission or any member thereof to create or obligate or incur any liability other than such obligations and liabilities as are dischargeable solely from funds contemplated to be provided by this Act. No obligation created or liability incurred pursuant to this Act shall be a personal obligation or liability of any member or members of the Commission, nor shall any indebtedness created pursuant to this Act be an indebtedness of the United States.

Creation of other obligations.

No obligation to be a personal obligation.

SEC. 8. The design and construction of any bridge which may be built pursuant to this Act shall be in accordance with the standard specifications for highway bridges adopted by the American Association of State Highway Officials.

Design and construction.

SEC. 9. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, August 10, 1939.

#### [CHAPTER 638]

##### AN ACT

To prohibit the use of the mails for the solicitation of the procurement of divorces in foreign countries.

August 10, 1939  
[S. 2245]  
[Public, No. 366]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That every written or printed card, circular, letter, book, pamphlet, advertisement, or notice of any kind, giving or offering to give information concerning where or how or through whom a divorce may be secured in a foreign country, and designed to solicit business in connection with the procurement thereof, is hereby declared to be nonmailable matter and shall not be conveyed in the mails or delivered from any post office or by any letter carrier. Whoever shall knowingly deposit, or cause to be deposited, for mailing or delivery, anything declared by this section to be nonmailable, or shall knowingly take or cause the same to be taken from the mails for the purpose of circulating or disposing thereof, shall be fined not more than \$5,000 or imprisoned for not more than five years, or both.

Divorces in foreign countries.  
Use of the mails for solicitation of procurement, prohibited.

Penalty.

SEC. 2. Nothing herein contained shall be construed to preclude criminal prosecution under the provisions of section 338, title 18, United States Code (Criminal Code, sec. 215), in any case in which the mails are used by any person in furtherance of any scheme or artifice to defraud, or for obtaining money or property by means of false or fraudulent pretenses, representations, or promises.

Criminal prosecution not precluded.  
35 Stat. 1130.  
18 U. S. C. § 338.

Approved, August 10, 1939.

#### [CHAPTER 639]

##### AN ACT

To amend the Act of June 15, 1936 (49 Stat. 1516), authorizing the extension of the boundaries of the Hot Springs National Park, in the State of Arkansas, and for other purposes.

August 10, 1939  
[H. R. 3409]  
[Public, No. 367]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the proviso in the Act of June 15, 1936 (49 Stat. 1516), reading as follows: “: *Provided*, That the lands hereinabove described may be acquired within funds already appropriated and at a cost not to exceed \$15,000”, is hereby repealed, and the said Act of June 15, 1936, is

Hot Springs National Park, Ark.

49 Stat. 1516.  
16 U. S. C., Supp. IV, § 361c.  
Proviso repealed.

hereby further amended by the addition thereto of the following new sections:

Supplementary ap-  
propriation for pur-  
chase of lands, author-  
ized.  
*Ante*, p. 1313.

Acceptance of dona-  
tions of lands, etc.

Acquisition to be-  
come part of park.

"SEC. 2. That there is hereby authorized to be appropriated a sum not to exceed \$8,000 to supplement funds in the amount of \$15,000 heretofore made available for the purchase of the lands described in section 1 hereof.

"SEC. 3. The Secretary of the Interior is hereby authorized, in his discretion, to accept on behalf of the United States donations of lands or interests in land within the city limits of Hot Springs, Arkansas, the title to such lands or interests in land to be satisfactory to said Secretary. Upon the acquisition of such lands or interests in land, they shall become a part of the Hot Springs National Park and shall be subject to all laws and regulations applicable thereto."

Approved, August 10, 1939.

[CHAPTER 640]

AN ACT

August 10, 1939  
[H. R. 4742]  
[Public, No. 368]

To provide for the establishment of the Chalmette National Historical Park in the State of Louisiana, and for other purposes.

Chalmette National  
Historical Park, La.  
Establishment of.

34 Stat. 1411; 46 Stat.  
489.  
16 U. S. C. § 450a.

Additional lands.

*Proviso.*  
*Limitation.*

Acquisition of prop-  
erty located within  
Park.

25 Stat. 357.  
40 U. S. C. §§ 257,  
258.

*Proviso.*  
Payment from do-  
nated funds.  
Administration.

39 Stat. 535.  
16 U. S. C. §§ 1-4;  
Supp. IV, § 2.

Inconsistent laws re-  
pealed.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the lands in Federal ownership located in Chalmette, Louisiana, in sections 10 and 21, township 13 south, range 12 east, Saint Helena meridian, on which there has been erected a monument pursuant to the provisions of the Act of Congress approved March 4, 1907 (34 Stat. 1411), as amended by the Act of June 2, 1930 (46 Stat. 489), to the memory of the soldiers who fell in the Battle of New Orleans in the War of 1812, including the national cemetery at Chalmette, Louisiana, are hereby designated as the Chalmette National Historical Park.

SEC. 2. That upon the vesting of title in the United States to such additional lands as may be designated by the Secretary of the Interior as necessary and desirable for the purposes of the Chalmette National Historical Park, such lands shall become a part of the said park and shall be subject to all laws, rules, and regulations applicable thereto: *Provided, however*, That the total area included within the said park and any enlargement thereof shall not exceed five hundred acres.

SEC. 3. That the Secretary of the Interior is authorized, in his discretion, to acquire in behalf of the United States, through donations or by purchase at prices deemed by him reasonable, or by condemnation in accordance with the Act of August 1, 1888 (25 Stat. 357), lands, buildings, structures, and other property, or interests therein, located within the boundaries of the Chalmette National Park as fixed and determined hereunder, the title to such property and interests to be satisfactory to the Secretary of the Interior, and to accept donations of funds for the acquisition and maintenance thereof: *Provided*, That payment for such property or interests shall be made solely from donated funds.

SEC. 4. The administration, protection, and development of the aforesaid national historical park shall be exercised under the direction of the Secretary of the Interior by the National Park Service, subject to the provisions of the Act of August 25, 1916, entitled "An Act to establish a National Park Service, and for other purposes."

SEC. 5. All Acts or parts of Acts inconsistent with the provisions of this Act are hereby repealed to the extent of such inconsistency.

Approved, August 10, 1939.

## [CHAPTER 641]

## AN ACT

To amend the Acts granting increased compensation to civilian employees for the period July 1, 1917, to June 30, 1924.

August 10, 1939  
[H. R. 5333]  
[Public, No. 369]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That no claim for additional or increased compensation incident to services rendered by civilian employees of the Government of the United States or of the District of Columbia between July 1, 1917, and June 30, 1924, authorized by Acts making appropriations for the payment of such increased or additional compensation for the fiscal years ending June 30, 1918, to June 30, 1924, inclusive, shall be considered by the General Accounting Office unless presented to it within six months from the date of the enactment of this Act.

Approved, August 10, 1939.

Civilian employees.  
Time limitation on presenting claims for increased compensation for period designated.

## [CHAPTER 642]

## AN ACT

Relating to the retirement of employees to whom the provisions of section 6 of the Act approved June 20, 1918 (40 Stat. 608; U. S. C., 1934 edition, title 33, sec. 763), as amended, apply.

August 10, 1939  
[H. R. 6747]  
[Public, No. 370]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any officer or employee of the Lighthouse Service who, on June 30, 1939, meets the requirements (except those relating to age and period of service) of section 6 of the Act approved June 20, 1918 (40 Stat. 608; U. S. C., title 33, sec. 763), as amended or supplemented, and who shall (1) reach the age of sixty-four years prior to July 1, 1940, or (2) be the occupant of an office or position abolished prior to July 1, 1940, may in the discretion of the head of his executive department be retired with annual compensation as provided in said section 6: *Provided, however,* That no such officer or employee shall be retired hereunder unless he shall have been in the service of the Government not less than thirty years at the time of retirement. Any officer or employee to whom this Act applies who is not retired hereunder prior to reaching the age of sixty-five years shall, upon reaching such age, become eligible for retirement in accordance with the provisions of said section 6 of the Act of June 20, 1918, and may not be retired under the provisions of this Act. Nothing contained in this Act shall be construed to affect the application of said section 6 to any officer or employee of the Lighthouse Service to whom this Act does not apply.

Approved, August 10, 1939.

Lighthouse Service.  
Application of retirement provisions to certain employees.

40 Stat. 608.  
33 U. S. C. § 763.  
*Ante*, p. 1216.

*Proviso.*  
Service requirements.

Retirement of eligible personnel on reaching retirement age.

Construction of Act.

## [CHAPTER 643]

## AN ACT

To amend section 4488 of the Revised Statutes of the United States, as amended (U. S. C., 1934 edition, title 46, sec. 481).

August 10, 1939  
[H. R. 7090]  
[Public, No. 371]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the first two sentences appearing in paragraph 1 of section 4488 of the Revised Statutes of the United States, as amended (U. S. C., 1934 edition, title 46, sec. 481), is hereby amended to read as follows:

"SEC. 4488. Every steamer navigating the ocean, or any lake, bay, or sound of the United States, shall be provided with such numbers of lifeboats, floats, rafts, life-preservers, line-carrying projectiles, and the means of propelling them, and drags, as will best secure the

Navigation.  
R. S. § 4488.  
46 U. S. C. § 481.

Lifeboats, etc., number to be provided on all steamers.



Boat-disengaging  
apparatus.

Rules and regula-  
tions.

safety of all persons on board such vessel in case of disaster; and every seagoing vessel carrying passengers, and every such vessel navigating any of the northern or northwestern lakes, shall have the lifeboats required by law, provided with suitable boat-disengaging apparatus, so arranged as to allow such boats to be safely launched. And the Board of Supervising Inspectors shall fix and determine, by their rules and regulations, the character and arrangement of boat-disengaging apparatus and the character of lifeboats, floats, rafts, life-preservers, line-carrying projectiles, and the means of propelling them, and drags that shall be used on such vessels, and also the character and capacity of pumps or other appliances for freeing the steamer from water in case of heavy leakage, the capacity of such pumps or appliances being suited to the navigation in which the steamer is employed."

Approved, August 10, 1939.

[CHAPTER 644]

AN ACT

August 10, 1939  
[H. R. 7091]  
[Public, No. 372]

To amend section 4471 of the Revised Statutes of the United States, as amended (U. S. C., 1934 edition, title 46, sec. 464).

Steam vessels, fire  
protection.  
R. S. § 4471.  
46 U. S. C. § 464;  
Supp. IV, § 464.  
Fire pump, pipe,  
and hose require-  
ments.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That section 4471 of the Revised Statutes of the United States, as amended (U. S. C., 1934 edition, title 46, sec. 464), is hereby amended to read as follows:

"SEC. 4471. Every steamer permitted by her certificate of inspection to carry as many as fifty passengers, or upward, and every steamer carrying passengers, which also carries cotton, hay, or hemp, shall be provided with a good double-acting steam fire pump, or other equivalent apparatus for throwing water. Such pump or other apparatus for throwing water shall be kept at all times and at all seasons of the year in good order and ready for immediate use, having at least two pipes of suitable dimensions, one on each side of the vessel, to convey the water to the upper decks, to which pipes there shall be attached, by means of stopcocks or valves, both between decks and on the upper deck, good and suitable hose of sufficient strength to stand a pressure of not less than one hundred pounds to the square inch, long enough to reach to all parts of the vessel and properly provided with nozzles, and kept in good order and ready for immediate service. Each fire pump thus prescribed shall be supplied with water by means of a suitable pipe connected therewith, and passing through the side of the vessel so low as to be at all times under water when she is afloat. Every steamer shall also be provided with a pump which shall be of sufficient strength and suitably arranged to test the boilers thereof.

Pump to test boilers.

Automatic sprinkler  
system.

"On and after October 1, 1937, every passenger vessel with berthed or stateroom accommodation for fifty or more passengers shall be equipped with an automatic sprinkler system, which shall be in addition to any other device or devices for fire protection, of a type prescribed by the Board of Supervising Inspectors and approved by the Secretary of Commerce. All enclosed portions of such vessels accessible to passengers or crew (except cargo holds, machinery spaces, and, when of fire-resisting construction, toilets, bathrooms, and spaces of similar construction) shall be protected by an automatic sprinkler system: *Provided*, That if after investigation the Bureau of Marine Inspection and Navigation finds in the case of a particular vessel the application of this paragraph is unnecessary properly to protect life on such vessel, an exception may be made. The Bureau of Marine Inspection and Navigation shall cause to be made suitable tests and inspections as will insure the proper working of such systems. In

*Provided*.  
Exception.

Tests and inspec-  
tions.

carrying out the provisions of this paragraph the Bureau of Marine Inspection and Navigation is hereby authorized and directed to prescribe the particular approved type, character, and manner of installation of systems to be fitted. The term 'type' as used in this paragraph shall be considered to mean any system which will give a prescribed or required efficiency and shall not mean some peculiar shape or design and shall not be confined to some certain brand or make."

Approved, August 10, 1939.

"Type" defined.

[CHAPTER 645]

JOINT RESOLUTION

Giving the consent of the Congress to an agreement between the States of Iowa and Missouri establishing a boundary between said States.

August 10, 1939  
[S. J. Res. 181]  
[Pub. Res., No. 47]

Whereas, under date of December 13, 1937, the State of Missouri commenced suit against the State of Iowa in the Supreme Court of the United States for the purpose of determining the boundary line between the county of Clark in the State of Missouri and the county of Lee in the State of Iowa; and

Iowa and Missouri  
boundary.  
Preamble.

Whereas, by stipulation filed in the said Supreme Court of the United States, it was proposed that the Legislature of Iowa and the Legislature of Missouri pass like bills, the State of Missouri waiving and relinquishing to the State of Iowa all jurisdiction to lands lying north and east of the Des Moines River, now in the county of Clark, State of Missouri, and the State of Iowa waiving and relinquishing to the State of Missouri all lands lying south and west of the Des Moines River, and now in the county of Lee, State of Iowa, and that said acts be submitted to the Congress of the United States for its approval; and

Whereas, in accordance with said stipulation, the Forty-eighth General Assembly of the State of Iowa did at such session pass such act, this act being known and designated as House File Numbered 651, Acts of the Forty-eighth General Assembly of Iowa, bearing the signatures of John R. Irwin, speaker of the house; Bourke B. Hickenlooper, president of the senate; and the signature and approval of George A. Wilson, Governor of Iowa, under date of April 18, 1939, said act being thereupon properly published and becoming law under date of April 23, 1939; and

Whereas said act provided in substance that the Des Moines River in its present course as heretofore declared by the Congress of the United States shall be and remain the true boundary line between the State of Missouri and the State of Iowa; that the State of Iowa relinquishes all jurisdiction to all lands in Lee County lying south and west of the Des Moines River, being south and east of the east and west boundary line between the States of Iowa and Missouri, and that the effective date of the relinquishment of jurisdiction shall be as of midnight of the 31st day of December following the passage of the Act of Congress approving the relinquishment of jurisdiction; and

Whereas, in accordance with stipulation as aforesaid, the Sixtieth General Assembly of the State of Missouri did, at such session, pass a like act, this act being known and designated as senate bill 350 of the acts of the Sixtieth General Assembly of Missouri and bearing the signature and approval of Lloyd C. Stark, Governor of Missouri, under date of June 16, 1939; and

Whereas said act provides in substance that the Des Moines River shall be the true boundary line as between Missouri and Iowa; that the State of Missouri relinquishes all jurisdiction to all lands lying north and east of the Des Moines River and that the effective date

of the relinquishment of jurisdiction over the land herein described shall be as of midnight of the 31st day of December following the passage of the Act of Congress approving the relinquishment of jurisdiction; and

Whereas the said acts of the States of Iowa and Missouri constitute an agreement between said States establishing a boundary between said States: Therefore be it

Consent of Congress  
given to agreement,  
etc.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the consent of the Congress is hereby given to such agreement and to the establishment of such boundary; and said acts of the States of Iowa and Missouri are hereby approved.

Approved, August 10, 1939.

[CHAPTER 646]

JOINT RESOLUTION

To amend Public Resolution Numbered 112, Seventy-fifth Congress.

August 10, 1939  
[S. J. Res. 182]  
[Pub. Res., No. 48]

Joint Congressional  
committee on phos-  
phate resources of  
United States.  
Study required by,  
to include potash, etc.  
52 Stat. 704.

Limitation on fur-  
ther expenses.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the study required to be made by the Joint Committee to Investigate the Adequacy and Use of the Phosphate Resources of the United States pursuant to Public Resolution Numbered 112, Seventy-fifth Congress, shall include potash and related minerals, and the life of the committee and the time for making its final report is extended to January 15, 1940.

The further expenses of the committee, which shall not exceed \$5,000, shall be paid one-half from the contingent funds of the Senate and one-half from the contingent fund of the House of Representatives upon vouchers approved by the chairman of the committee.

Approved, August 10, 1939.

[CHAPTER 647]

JOINT RESOLUTION

To provide for the observance and celebration of the one hundred and fiftieth anniversary of the settlement of the city of Gallipolis, Ohio.

August 10, 1939  
[H. J. Res. 272]  
[Pub. Res., No. 49]

Gallipolis, Ohio, ses-  
quicentennial celebra-  
tion.  
Preamble.

Whereas the settlement of the Northwest Territory which commenced at Marietta, Ohio, in 1788 started the greatest movement of pioneer settlers in the history of the world; and

Whereas in 1790 the third settlement in that great program of development was made at Gallipolis, Ohio; and

Whereas the settlement of Gallipolis was made by the famous "French five hundred", who with their families came direct from their native France; and

Whereas by reason of the inestimable services rendered the American Colonies by the French Nation and thousands of their patriotic citizens led by General Lafayette there has been established an indissoluble bond of friendship between the French Nation and the United States; and

Whereas there is no more fitting time or place to again prove this friendship than at Gallipolis, Ohio, on the occasion of its celebration of its sesquicentennial in 1940; and

Whereas the citizens of Gallipolis, a small city of seven thousand population, have planned and will carry out at great personal sacrifice of time, energy, and wealth a season of pageantry, patriotic demonstrations, and cultural entertainments that will rank with the best that can be produced anywhere, regardless of expense: Therefore be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That there is hereby established a commission to be known as the Gallipolis Sesquicentennial Commission and composed of seven members as follows: The common pleas judge of Gallia County, the probate judge of Gallia County, the chairman of the board of county commissioners of Gallia County, the municipal judge of the city of Gallipolis, the city manager of the city of Gallipolis, the postmaster of the city of Gallipolis, and the president of the chamber of commerce.

Gallipolis Sesquicentennial Commission established; composition.

SEC. 2. These commissioners shall serve without compensation and shall select a chairman from among their number. It shall be the duty of the commission to cooperate with all authorized agencies in charge of the sesquicentennial celebration to be held in the city of Gallipolis during the year of 1940 and to expend any appropriation made herein for the promotion of said celebration and in commemoration of heroic deeds of the noble Frenchmen and their families who settled Gallipolis under such difficult circumstances, all the better to strengthen the bonds of friendship that have existed between the French Nation and the United States of America.

Service without compensation. Duties of Commission.

SEC. 3. There is authorized to be appropriated the sum of \$10,000, or so much thereof as may be necessary, to carry out the purpose of this resolution.

Appropriation authorized.

Approved, August 10, 1939.

#### [CHAPTER 660]

##### AN ACT

To amend paragraph (1) of section 96 of title 2 of the Canal Zone Code relating to method of computing annuities.

August 10, 1939  
[H. R. 139]  
[Public, No. 373]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That paragraph (1) of section 96 of title 2 of the Canal Zone Code is amended to read as follows:

Canal Zone Code, amendment.  
2 C. Z. Code § 96 (1).

“(1) A sum equal to \$37.50 multiplied by the number of years of service, not to exceed thirty years, rendered (a) on the Isthmus of Panama, or (b) in the service of the United States in the Tropics; and”.

Annuities, computation of.

Approved, August 10, 1939.

#### [CHAPTER 661]

##### AN ACT

To include within the Kaniksu National Forest certain lands owned or in course of acquisition by the United States.

August 10, 1939  
[H. R. 2752]  
[Public, No. 374]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all lands of the United States situated within the area hereinafter described, including those acquired, or in course of acquisition, under the provisions of the National Industrial Recovery Act, approved June 16, 1933 (48 Stat. 195), the Emergency Relief Appropriation Act, approved April 8, 1935 (49 Stat. 115), or the Bankhead-Jones Farm Tenant Act, approved July 22, 1937 (50 Stat. 522), are hereby added to and made parts of the Kaniksu National Forest, Washington, and shall hereafter be subject to the rules and regulations applicable to national-forest lands, but claims, entries, filings, or appropriations under the public-lands laws, or special provisions included in conveyances of title to the United States, valid and subsisting at the date of this Act and thereafter legally maintained, shall not be affected by this Act.

Kaniksu National Forest, Wash. Lands added.

48 Stat. 195.  
15 U. S. C. §§ 701-712; Supp. IV, ch. 15.  
49 Stat. 115.  
15 U. S. C., Supp. IV, § 728 (note).  
50 Stat. 522.  
7 U. S. C., Supp. IV, §§ 1000-1029.  
Valid claims, etc., not affected.

## WILLAMETTE MERIDIAN

Willamette merid-  
ian.

East half, section 1; east half section 12; east half northeast quarter, section 13; township 33 north, range 39 east.

North half, north half southwest quarter, southeast quarter southwest quarter, and west half southeast quarter, section 1; east half northeast quarter, northeast quarter southeast quarter, north half northwest quarter, southwest quarter northwest quarter, and southwest quarter, section 2; sections 3 to 5, inclusive; northeast quarter, northeast quarter northwest quarter, south half northwest quarter, and south half, section 6; sections 7 to 10, inclusive; northwest quarter northeast quarter, south half northeast quarter, west half, north half southeast quarter, and southwest quarter southeast quarter, section 11; sections 15 and 16; north half, north half south half, south half southeast quarter, and southwest quarter southwest quarter, section 17; east half and northwest quarter, section 18; all of section 19; east half, and west half northwest quarter, section 20; all of section 21; north half north half, southwest quarter northeast quarter, and northwest quarter southwest quarter, section 22; west half east half and north half northwest quarter, section 30; township 33 north, range 40 east.

Those parts of section 23 to 26, inclusive, lying south of the divide between the waters of Bear Creek and North Fork Chewelah Creek; that part of section 27 lying within the watersheds of North Fork Chewelah Creek or Twelve Mile Creek; that part of section 28 lying within the watershed of Twelve Mile Creek; south half, section 29; northeast quarter southeast quarter, section 30; southeast quarter northeast quarter, southeast quarter southwest quarter, and southeast quarter, section 31; northeast quarter, northeast quarter northwest quarter, south half northwest quarter, and south half, section 32; sections 33 to 36, inclusive; township 34 north, range 40 east.

Northwest quarter northwest quarter, section 2; northeast quarter northeast quarter, section 3; township 35 north, range 40 east.

Sections 1 to 7, inclusive; north half, and east half southeast quarter, section 8; sections 9 to 15, inclusive; north half, and east half southeast quarter, section 16; south half northeast quarter, and north half southeast quarter, section 17; northeast quarter, northeast quarter northwest quarter, south half northwest quarter, and south half, section 21; sections 22 to 28, inclusive; sections 33 to 36, inclusive; township 36 north, range 40 east.

Sections 1 and 2; lots 1, 2, 7, 8, 9, 10, 15, and 16, southeast quarter, east half southwest quarter, and southwest quarter southwest quarter, section 3; lots 1 to 15, inclusive, northwest quarter southeast quarter, south half southeast quarter, and southwest quarter, section 4; sections 5 to 36, inclusive; township 37 north, range 40 east.

Southeast quarter, section 12; township 31 north, range 41 east.

Sections 1 to 4, inclusive; sections 9 to 17, inclusive; east half east half section 18; sections 22 to 27, inclusive; sections 34 to 36, inclusive; township 32 north, range 41 east.

Sections 1 to 5, inclusive; lots 1, 2, 14, south half northeast quarter, east half southeast quarter, southwest quarter southeast quarter, section 6; northeast quarter, lots 1, 6, 7, 8, 9, 10, 11, 12, southeast quarter, section 7; sections 8 to 16, inclusive; north half, southwest quarter, north half southeast quarter, section 17; northeast quarter, lots 6, 7, 8, 9, 10, 11, 12, southeast quarter, section 18; lots 1 to 7, inclusive, lots 9, 10, 12, northeast quarter, north half southeast quarter, section 19; northwest quarter northwest quarter section 20; northeast quarter, northeast quarter northwest quarter, and south half northwest quarter, section 21; southeast quarter northeast quarter section 22; north half, southeast quarter, north half south-

west quarter, and southeast quarter southwest quarter, section 23; sections 24 to 26, inclusive; northeast quarter, east half northwest quarter, southwest quarter northwest quarter, and south half, section 27; south half north half, and south half, section 28; all section 29; east half section 30; north half northeast quarter, southeast quarter northeast quarter, and southeast quarter, section 31; sections 32 to 36, inclusive; township 33 north, range 41 east.

All of sections 23 to 30, inclusive, lying within the watershed of North Fork Chewelah Creek, sections 31 to 36, inclusive, township 34 north, range 41 east.

Lots 2, 3, 4, 5, 6, 11, and 12, north half southwest quarter, section 4; lots 1 to 12, inclusive, north half south half, southeast quarter southwest quarter, and southwest quarter southeast quarter, section 5; all of section 6; northeast quarter northwest quarter, section 7; township 35 north, range 41 east.

Sections 1 to 24, inclusive; west half section 27; sections 28 to 32, inclusive; north half, southwest quarter, north half southeast quarter, southwest quarter southeast quarter, section 33; northwest quarter, northwest quarter southwest quarter, section 34; township 36 north, range 41 east.

Sections 1 to 36, inclusive, township 37 north, range 41 east.

Sections 1 to 3 inclusive; southwest quarter southeast quarter, section 4; northwest quarter northeast quarter, south half northeast quarter, east half northwest quarter, and south half, section 9; sections 10 to 16, inclusive; sections 21 to 28, inclusive; sections 33 to 36, inclusive; township 38 north, range 41 east.

Sections 1 to 6, inclusive; northeast quarter, south half northwest quarter, and south half, section 7; sections 8 to 27, inclusive; north half section 28; sections 29 and 30; north half section 31; north half and southeast quarter, section 33; sections 34 to 36, inclusive; township 31 north, range 42 east.

Sections 1 to 36, inclusive, township 32 north, range 42 east.

Sections 1 to 36, inclusive, township 33 north, range 42 east.

Sections 1 to 4, inclusive; those parts of sections 5 to 8, inclusive, lying within the Tacoma Creek watershed; sections 9 to 16, inclusive; those parts of sections 17, 18, and 19 lying within the watersheds of Tacoma and Drummond Creeks; sections 20 to 29, inclusive; those parts of section 30 lying within the Drummond Creek watershed; sections 31 to 36, inclusive; township 34 north, range 42 east.

That portion of the township lying east of the Divide between the watersheds of the Pend Oreille River on the east and the Colville River on the west, township 35 north, range 42 east.

Sections 1 to 18, inclusive; north half, north half south half, section 19; north half, north half south half, section 20; north half, north half south half, section 21; sections 22 to 27, inclusive; that portion lying on the watershed of the Pend Oreille River, section 33; sections 34 to 36, inclusive; township 36 north, range 42 east.

Northeast quarter northeast quarter, north half northwest quarter, and southwest quarter northwest quarter, section 1; sections 2 to 11, inclusive; east half northwest quarter, southwest quarter, and southwest quarter southeast quarter, section 12; northwest quarter northeast quarter, and west half, section 13; sections 14 to 23, inclusive; south half, section 24; sections 25 to 36, inclusive; township 37 north, range 42 east.

Lots 10 to 16, inclusive, and south half, section 1; lots 3, 4, 5, 6, 9, 10, 11, 12, 13, 14, 15, and 16, and south half, section 2; sections 3 to 11, inclusive; northwest quarter, south half, and northwest quarter northeast quarter, section 12; sections 13 to 36, inclusive; township 38 north, range 42 east.

Sections 1 to 36, inclusive; township 39 north, range 42 east.

Sections 1 to 3, inclusive; sections 10 to 15, inclusive; sections 19 to 36, inclusive; township 40 north, range 42 east.

Sections 4 to 9, inclusive; sections 16 to 21, inclusive; sections 28 to 32, inclusive; north half, southwest quarter, north half southeast quarter, southwest quarter southeast quarter, section 33; township 31 north, range 43 east.

West half section 5; sections 6 and 7; north half north half, and south half, section 8; sections 17 to 20, inclusive; southwest quarter section 21; southwest quarter, and south half southeast quarter, section 28; sections 29 to 33, inclusive; township 32 north, range 43 east.

Sections 4 to 9, inclusive; northwest quarter southwest quarter, section 10; sections 16 to 21, inclusive; north half, southwest quarter, north half southeast quarter, and southwest quarter southeast quarter, section 29; sections 30 and 31; west half northeast quarter, and west half, section 32; township 33 north, range 43 east.

North half, north half south half, and southwest quarter southwest quarter, section 1; sections 2 to 11, inclusive; sections 15 to 22, inclusive; north half northwest quarter, section 27; sections 28 to 34, inclusive; township 34 north, range 43 east.

Lot 7, section 2; sections 3 to 10, inclusive; southwest quarter northwest quarter, and southwest quarter, lots 3 and 4, section 11; north half, southwest quarter, and north half southeast quarter, section 14; sections 15 to 22, inclusive; north half, southwest quarter, north half southeast quarter, and southwest quarter southeast quarter, section 23; sections 25 to 36, inclusive; township 35 north, range 43 east.

Sections 5 to 8, inclusive; sections 17 to 20, inclusive; sections 28 to 33, inclusive; lot 4, southeast quarter northwest quarter, southwest quarter northeast quarter, southwest quarter, and west half southeast quarter, section 34; township 36 north, range 43 east.

All of section 31, township 37 north, range 43 east.

Lots 6 and 7, section 6; lots 2, 3, and 4, east half southwest quarter, west half southeast quarter, south half northeast quarter, and southeast quarter northwest quarter, section 7; west half southwest quarter, section 19; township 38 north, range 43 east.

Lots 1 and 2, section 3; north half, southeast quarter, north half southwest quarter, and southwest quarter southwest quarter, section 4; sections 5 to 8, inclusive; sections 17 to 20, inclusive; north half north half, section 30; northwest quarter northwest quarter, section 31; township 39 north, range 43 east.

Lots 4, 7, and 9, east half southwest quarter, and southwest quarter southwest quarter, section 3; lots 2, 3, and 4, and south half, section 4; sections 5 to 9, inclusive; section 10, that part west of the Pend Oreille River; sections 15 to 21, inclusive; northwest quarter northeast quarter, south half northeast quarter, northwest quarter, and south half, section 22; sections 27 to 33, inclusive; northwest quarter, and south half, section 34; township 40 north, range 43 east.

SEC. 2. Any of the lands described in the first section of this Act which are privately owned may be accepted in exchange by the Secretary of the Interior under the provisions of the Act entitled, "An Act to consolidate national-forest lands", approved March 20, 1922, as amended (U. S. C., title 16, secs. 485, 486). All of such lands so accepted in exchange shall thereupon be added to and made a part of the Kaniksu National Forest in the State of Washington and shall thereafter be administered under the laws and regulations relating to the national forests. Lands received in exchange or purchased under the provisions of this Act shall be open to mineral locations, mineral development, and patent, in accordance with the mining laws of the United States.

Approved, August 10, 1939.

Exchange of privately owned lands.

42 Stat. 465.  
16 U. S. C. §§ 485,  
486; Supp. IV, § 486.  
Inclusion of accepted lands.

Mineral locations, etc.

## [CHAPTER 662]

## AN ACT

Authorizing the restoration to tribal ownership of certain lands upon the Umatilla Indian Reservation, Oregon, and for other purposes.

August 10, 1939

[H. R. 4540]

[Public, No. 375]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Interior be, and he is hereby, authorized in his discretion to restore to tribal ownership the undisposed of surplus lands of the Umatilla Indian Reservation, Oregon, heretofore opened to entry or other form of disposal under the public-land laws: *Provided*, That restoration shall be subject to any existing valid rights.

Umatilla Indian  
Reservation, Oreg.  
Restoration of cer-  
tain lands to tribal  
ownership.

*Proviso.*  
Existing valid  
rights.

Consolidations  
through purchase, ex-  
change, or relinquish-  
ment.

SEC. 2. For the purpose of effecting land consolidations between Indians and non-Indians within the reservation, the Secretary of the Interior is hereby authorized, under such rules and regulations as he may prescribe, to acquire through purchase, exchange, or relinquishment, any interest in lands, water rights, or surface rights to lands within said reservation. Exchanges of lands hereunder shall be made on the basis of equal value and the value of improvements on lands to be relinquished to the Indians or by Indians to non-Indians shall be given due consideration and allowance made therefor in the valuation of lieu lands. This section shall apply to tribal, trust, or otherwise restricted Indian allotments whether the allottee be living or deceased.

Basis of exchanges.

Restricted allot-  
ments included.

SEC. 3. Title to lands or any interest therein acquired pursuant to this Act for Indian use shall be taken in the name of the United States of America in trust for the tribe or individual Indian for which acquired.

Title to be taken in  
name of United  
States.

SEC. 4. For the purpose of carrying into effect the land-purchase provision of this Act, the Secretary of the Interior is hereby authorized to use so much as may be necessary of any funds heretofore or hereafter appropriated pursuant to section 5 of the Act of June 18, 1934 (48 Stat. 984).

Funds available for  
expenses.

48 Stat. 985.  
25 U. S. C. § 465.

Approved, August 10, 1939.

## [CHAPTER 663]

## AN ACT

To amend the Packers and Stockyards Act, 1921.

August 10, 1939

[H. R. 4998]

[Public, No. 376]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That subsections (a) and (b) of section 310 of the Packers and Stockyards Act, 1921, are hereby amended so as to read as follows:

Packers and Stock-  
yards Act, 1921,  
amendments.

42 Stat. 166.

7 U. S. C. § 211.

Determination of  
rates, etc.

"(a) May determine and prescribe what will be the just and reasonable rate or charge, or rates or charges, to be thereafter in such case observed as both the maximum and minimum to be charged, and what regulation or practice is or will be just, reasonable, and nondiscriminatory to be thereafter followed; and

"(b) May make an order that such owner or operator (1) shall cease and desist from such violation to the extent to which the Secretary finds that it does or will exist; (2) shall not thereafter publish, demand, or collect any rate or charge for the furnishing of stockyard services more or less than the rate or charge so prescribed; and (3) shall conform to and observe the regulation or practice so prescribed."

Orders to cease and  
desist from violations,  
etc.

Approved, August 10, 1939.



## [CHAPTER 664]

## AN ACT

August 10, 1939  
[H. R. 5685]  
[Public, No. 377]

To amend the Act of Congress entitled "An Act to define, regulate, and license real-estate brokers, business-chance brokers, and real-estate salesmen; to create a Real Estate Commission in the District of Columbia; to protect the public against fraud in real-estate transactions; and for other purposes", approved August 25, 1937.

District of Columbia.  
Regulation of real-estate brokers, etc.

50 Stat. 787.  
20 D. C. Code, Supp. IV, §§ 1970-1988.  
Amendment to title of Act.

License requirement.

50 Stat. 787.  
20 D. C. Code, Supp. IV, § 1971.  
"Real-estate broker," defined.

Proviso.  
Sale of advertising space in newspapers, etc.  
"Business-chance broker" defined.

"Real-estate salesman" defined.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the title of the Act entitled "An Act to define, regulate, and license real-estate brokers, business-chance brokers, and real-estate salesmen; to create a Real Estate Commission in the District of Columbia; to protect the public against fraud in real-estate transactions; and for other purposes", approved August 25, 1937 (Public, Numbered 356, Seventy-fifth Congress), is amended to read as follows:

"An Act to define, regulate, and license real-estate brokers, real-estate salesmen, business-chance brokers, and business-chance salesmen; to create a Real Estate Commission in the District of Columbia; to protect the public against fraud in real-estate transactions and in real-estate promotions and in business-chance transactions; and for other purposes".

SEC. 2. Section 1 of said Act is hereby amended to read as follows:

"SECTION 1. That on and after ninety days from the date of enactment of this Act it shall be unlawful in the District of Columbia for any person, firm, partnership, copartnership, association, or corporation (foreign or domestic) to act as a real-estate broker, real-estate salesman, business-chance broker or business-chance salesman, or to advertise or assume to act as such, without a license issued by the Real Estate Commission of the District of Columbia."

SEC. 3. Section 2 of said Act is hereby amended to read as follows:

"SEC. 2. Whenever used in this Act 'real-estate broker' means any person, firm, association, partnership, or corporation (foreign or domestic) who, for another and for a fee, commission, or other valuable consideration, or who, with the intention or in the expectation or upon the promise of receiving or collecting a fee, commission, or other valuable consideration, lists for sale, sells, exchanges, purchases, rents, or leases or offers or attempts or agrees to negotiate a sale, exchange, purchase, lease, or rental of an estate or interest in real estate, or collects or offers or attempts or agrees to collect rent or income for the use of real estate, or negotiates or offers or attempts or agrees to negotiate, a loan secured or to be secured by a mortgage, deed of trust, or other encumbrance upon or transfer of real estate, or who is engaged in the business of erecting houses or causing the erection of houses for sale on his, their, or its land and who sells, offers, or attempts to sell such houses, or who, as owner or otherwise and as a whole or partial vocation, sells, or through solicitation, advertising, or otherwise, offers or attempts to sell or to negotiate the sale of any lot or lots in any subdivision of land comprising ten lots or more: *Provided, however,* That this definition shall not apply to the sale of space for advertising of real estate in any newspaper, magazine, or other publication. A 'business-chance broker' within the meaning of this Act is any person, firm, partnership, association, copartnership, or corporation who for a compensation or valuable consideration sells or offers for sale, buys or offers to buy, leases or offers to lease, or negotiates the purchase or sale or exchange of a business, business opportunity, or the goodwill of a business for others.

"'Real-estate salesman' means a person employed by a licensed real-estate broker to list for sale, sell, or offer for sale, to buy or offer

to buy, or to negotiate the purchase or sale, or exchange of real estate, or to negotiate a loan on real estate, or to lease or rent or offer to lease, rent, or place for rent, any real estate, or collect or offer or attempt to collect rent or income for the use of real estate.

"Business-chance salesman" means any person employed by a licensed business-chance broker to list for sale, sell, or offer for sale, to buy or offer to buy, to lease or offer to lease, or to negotiate the purchase or sale or exchange of a business, business opportunity, or goodwill of an existing business for or in behalf of such business-chance broker.

"Business-chance salesman" defined.

"Persons employed by a licensed broker in a clerical capacity or in subordinate positions who receive a fixed compensation and who receive no additional commission or compensation for specific acts of renting or leasing real estate and who do not sell or exchange, or offer or attempt to sell or exchange, real estate or a business, business opportunity, or the goodwill of a business shall not be required to obtain licenses.

Exceptions.

"One act for a compensation or valuable consideration of buying or selling real estate for or of another, or offering for another to buy, sell, or exchange real estate, or leasing, renting, or offering to lease or rent real estate, or negotiating or offering to negotiate a loan secured by a mortgage, deed of trust, or other incumbrance upon or transfer of real estate, except as herein specifically excepted, shall constitute a person, firm, partnership, copartnership, association, or corporation performing, or offering, or attempting to perform any of the acts enumerated herein, a real-estate broker, unless such act shall be performed or offered or attempted to be performed by a person for and in behalf of a real-estate broker in which event such act shall constitute such person a real-estate salesman.

Real-estate broker.

Real-estate salesman.

"One act for a compensation or valuable consideration of buying, selling or leasing or exchanging a business, business opportunity, or the goodwill of a business for or of another, or offering for another to buy, sell, exchange, or lease a business, business opportunity, or the goodwill of a business, except as herein specifically excepted, shall constitute the person, firm, partnership, copartnership, association, or corporation performing or offering or attempting to perform any of the acts enumerated herein, a business-chance broker, unless such act shall be performed or offered or attempted to be performed by a person for or on behalf of a business-chance broker, in which event such act shall constitute such person a business-chance salesman.

Business-chance broker.

Business-chance salesman.

"The provisions of this Act shall not apply to receivers, referees, administrators, executors, guardians, trustees, or other persons appointed or acting under the judgment or order of any court; or public officers while performing their official duty, or attorneys at law in the ordinary practice of their profession; nor to any person, copartnership, association, or corporation, who, as owner or lessor, shall perform any of the acts aforesaid with reference to property owned or leased by them, or to the regular officers and employees thereof, with respect to the property so owned or leased, where such acts are performed in the regular course of, or as an incident to, the management of such property and the investments therein, except as otherwise provided in this Act.

Exemptions.

"Every provision of this Act applying specifically to an applicant or application for a license as a real-estate broker or a real-estate salesman, and to a real-estate license, and to a licensee licensed as a real-estate broker or a real-estate salesman, and to anyone acting in the capacity of a real-estate broker or a real-estate salesman without a license, shall likewise apply in a similar manner, respectively, to every applicant and application for a license as a business-chance

Application of provisions to business-chance broker or business-chance salesman.

broker or a business-chance salesman, and to every business-chance license, and to every licensee licensed as a business-chance broker or a business-chance salesman, and to anyone acting in the capacity of a business-chance broker or a business-chance salesman without a license."

50 Stat. 788.  
20 D. C. Code,  
Supp. IV, § 1972.  
Compensation.

SEC. 4. The seventh paragraph of section 3 is amended to read as follows:

"The compensation of members of the Commission, except the ex officio member, shall be \$10 each for personal attendance at each meeting, but shall not exceed for any member \$1,500 per annum."

50 Stat. 789.  
20 D. C. Code, Supp.  
IV, § 1973.  
Qualifications for  
license.

SEC. 5. Section 4 of said Act is amended to read as follows:

"SEC. 4. No license under the provisions of this Act shall be issued to any person who has not attained the age of twenty-one years, nor to any person who cannot read, write, and understand the English language; nor until the Commission has received satisfactory proof that the applicant is trustworthy and competent to transact the business of a real-estate broker or real-estate salesman or business-chance broker or business-chance salesman in such a manner as to safeguard the interests of the public: *Provided, however,* That a salesman shall have six months from the date of the issuance of his original license to prove his competency, and failure to prove his competency to the satisfaction of the Commission within that period will automatically cancel his original license or any renewal thereof.

*Proviso.*  
Probationary period  
to prove competency.

Proof of competency.

Real-estate brokers.

Business-chance  
brokers.

Applications recent-  
ly rejected.

"In determining competency, the Commission shall require proof that every applicant for a license has a general and fair understanding of the obligations between principal and agent, as well as of the provisions of this Act; and that an applicant for a license as a real-estate broker has a fair understanding of the general purposes and effect of deeds, mortgages, and contracts for the sale or leasing of real estate, and of elementary real-estate practices; and that an applicant for a license as a business-chance broker has a fair understanding of the general purposes and effect of bills of sale, chattel mortgages and trusts, and the provisions of the law governing sales in bulk.

"No license shall be issued to any person, firm, partnership, copartnership, association, or corporation whose application has been rejected in the District of Columbia or any State within three months prior to date of application, or whose real-estate license has been revoked in the District of Columbia or any State within one year prior to date of application."

Bond.  
50 Stat. 791.  
20 D. C. Code, Supp.  
IV, § 1974.

SEC. 6. (a) The eighth paragraph of section 5 of said Act is amended by striking out the words, "executed by two good and sufficient sureties, to be approved by the Commission, or".

(b) Section 5 of said Act is further amended by inserting at the end of the tenth paragraph thereof the following:

New bond if surety  
insolvent or ceases to  
do business.

"In the event the surety becomes insolvent or a bankrupt, or ceases to do business or ceases to be authorized to do business in the District of Columbia, the principal shall, within ten days after notice thereof, given by the Commission, duly file a new bond in like amount and conditioned as the original and if the principal shall fail so to do the license of such principal shall terminate."

50 Stat. 792.  
20 D. C. Code,  
Supp. IV, § 1976.  
Broker's license, fee.

SEC. 7 (a) The third paragraph of section 7 of said Act is amended to read as follows:

*Proviso.*  
Business partner-  
ships, etc.

"The fee for an original broker's license and every renewal thereof shall be \$30: *Provided, however,* That the fee for an original broker's license and every renewal thereof for individual members, partners, and officers of firms, partnerships, and corporations shall be \$30 for the first member, partner, or officer to be designated by the firm, partnership, or corporation and \$10 for each additional member, partner, or officer of such firm, partnership, or corporation."

(b) The fifth paragraph of said section 7 of said Act is amended by striking out the words "real estate."

Salesman's license,  
fee.

(c) Section 7 of said Act is further amended by inserting a new paragraph between the fifth and sixth paragraphs of said section 7 to read as follows:

50 Stat. 792,  
20 D. C. Code,  
Supp. IV, § 1976.

"The fees provided herein for any original license shall be reduced by one-half in all cases where the application for such original license is filed between January 1 and July 1 of any year."

Prorating of fee.

(d) The seventh paragraph of section 7 of said Act is hereby amended to read as follows:

"The Commission shall cause to be issued a new license for each ensuing year, in the absence of any reason or condition which might warrant the refusal of the granting of a license, upon receipt of the written request of the applicant and the annual fee therefor, as herein required: *Provided, however,* That an applicant who, on or before July 1, fails to file said written request and pay the annual fee must comply with all the provisions of this Act applicable to an original applicant except that the Commission may waive the requirement of furnishing proof of competency. The revocation of a broker's license shall automatically suspend every salesman's license granted to any person by virtue of his employment by the broker whose license has been revoked, pending a change of employer and the issuance of a new license. Such new license shall be issued without charge if granted during the same license year in which the original license is granted."

Annual issuance of  
new license.

*Proviso.*  
Delinquency pro-  
visions.

Revocation of bro-  
ker's license, effect.

(e) The eighth paragraph of section 7 of said Act is amended to read as follows:

"No person, firm, partnership, copartnership, association, or corporation engaged in the business or acting in the capacity of a real-estate broker or a real-estate salesman, or a business-chance broker or a business-chance salesman, within the District of Columbia shall bring or maintain any action in the courts of the District of Columbia for the collection of compensation for any services performed as a real-estate broker or a real-estate salesman or a business-chance broker or business-chance salesman, or enforcement of any contract relating to real estate without alleging and proving that such person, firm, partnership, copartnership, association, or corporation was a duly licensed real-estate broker or real-estate salesman, or business-chance broker or business-chance salesman, at the time the alleged cause of action arose."

Actions for collect-  
ing compensation.

(f) The ninth paragraph of said section 7 of said Act is amended to read as follows:

50 Stat. 793,  
20 D. C. Code,  
Supp. IV, § 1976.

"Every broker licensed hereunder shall maintain a place of business in the District of Columbia. If a broker maintains more than one place of business within the District of Columbia, a duplicate license shall be issued to such broker for each branch office maintained; and there shall be no fee charged for any such duplicate license."

Maintenance of  
place of business.

(g) The tenth paragraph of said section 7 of said Act is amended to read as follows:

"When a broker changes the location of his principal place of business he must immediately notify the Commission in writing and return to the Commission his license together with the licenses of all salesmen in his employ, and the Commission shall issue a new license to the broker and to each of the salesmen without charge. Failure to notify the Commission and to return his license when the location of his principal place of business is changed, will automatically cancel the broker's license and the licenses of all salesmen in his employ. However, new licenses for the unexpired term may

Change of location.

be issued by the Commission without the payment of any additional fee, provided a written request therefor, accompanied by a new bond, is filed."

Notice by salesman  
on termination of  
service.

(h) The eleventh paragraph of said section 7 of said Act is amended by striking out the last sentence thereof and inserting in lieu thereof the following: "When a salesman shall be discharged or shall terminate his employment with the broker by whom he is employed, it shall be the duty of such salesman to immediately notify the Commission, and it shall be unlawful for him to perform any of the acts contemplated by this Act either directly or indirectly from and after such termination of employment until such time as he has been employed by another licensed broker and a license has been reissued him by the Commission."

Acts while unem-  
ployed.

(i) Section 7 of said Act is further amended by adding at the end thereof two new paragraphs to read as follows:

License, transfer  
from one individual to  
another.  
Change in status.

"A license issued to an individual cannot be transferred to another individual. However, an individual licensed as a broker may, upon written request to the Commission, change his status to that of an individual broker or to that of a partner of a partnership, or to that of an officer of a corporation, for any unexpired term of his license, without the payment of any additional fee, and such change shall not work a revocation or require a renewal of the bond of any such broker. This provision shall not be applicable to any real-estate broker in respect to a change of license to that of a business chance broker or vice versa.

No license to firm  
unless every partici-  
pating member li-  
censed.

"No license shall be issued to any firm, partnership, association, or corporation unless every individual member, partner or officer of such firm, partnership, association, or corporation who actively participates in the brokerage business thereof is licensed as a broker."

50 Stat. 793.  
20 D. C. Code,  
Supp. IV, § 1977.  
Suspension or revo-  
cation of license;  
causes enumerated.

SEC. 8. Section 8 of said Act is amended to read as follows:

"SEC. 8. The Commission may, upon its own motion, and shall, upon the verified complaint in writing of any person, provided such complaint or such complaint together with evidence, documentary or otherwise, presented in connection therewith, makes out a prima facie case, investigate the conduct of any real-estate broker or real-estate salesman, or business-chance broker or business-chance salesman, and shall have the power to suspend or to revoke any license issued under the provisions of this Act, at any time where the licensee has by false or fraudulent representation obtained a license, or where the licensee, in performing or attempting to perform any of the acts mentioned herein, has—

(a) Made any substantial misrepresentation;

(b) Made any false promises of a character likely to influence, persuade, or induce;

(c) Pursued a continued and flagrant course of misrepresentation, or making of false promises through agents or salesmen, or advertising or otherwise;

(d) Acted for more than one party in a transaction without the knowledge of all parties for whom he acts;

(e) Accepted a commission or valuable consideration as a real-estate salesman or as a business-chance salesman for the performance of any of the acts specified in this Act from any person, except the broker under whom he is licensed;

(f) Represented or attempted to represent a real-estate broker or a business-chance broker other than the employer, without the express knowledge and consent of the employer;

(g) Failed, within a reasonable time, to account for or to remit any money, valuable documents, or other property coming into his possession which belong to others;

(h) Demonstrated such unworthiness or incompetency to act as a real-estate broker or real-estate salesman or a business-chance broker or a business-chance salesman as to endanger the interests of the public;

(i) While acting or attempting to act as agent or broker, purchased or attempted to purchase any property or interest therein for himself, either in his own name or by use of a straw party, without disclosing such fact to the party he represents;

(j) Been guilty of any other conduct, whether of the same or a different character from that hereinbefore specified, which constitutes fraudulent or dishonest dealing;

(k) Used any trade name or insignia of membership in any real-estate organization of which the licensee is not a member;

(l) Disregarded or violated any provisions of this Act;

(m) Guaranteed or authorized or permitted any broker or salesman to guarantee future profits which may result from the resale of real property, or a business, business opportunity, or the goodwill of any existing business;

(n) Placed a sign on any property offering it for sale or for rent or offering it for sale or rent without the written consent of the owner or his authorized agent;

(o) Accepted a compensation from more than one party to a transaction without the knowledge of all the parties to the transaction; or

(p) Failed to restore the bond to its original amount after a recovery on the bond as provided in section 5.

SEC. 9. Section 10 of said Act is amended by striking out the period at the end of the first paragraph thereof and inserting in lieu thereof a comma, and by adding after such comma the following: "and with the further exception that a nonresident of the District of Columbia need not maintain a place of business within the District of Columbia if he is licensed in and maintains a place of business in the State in which he resides."

SEC. 10. Section 12 of said Act is amended by adding at the end thereof the following:

"The exemption contained in this section shall not apply to any bank, trust company, building and loan association, insurance company, or any land-mortgage or farm-loan association, which for another and for a compensation, performs any of the acts defined herein as the acts of a real-estate broker or business-chance broker in connection with any property, wherein such bank, trust company, building and loan association, insurance company, land-mortgage or farm-loan association has no fiduciary interest such as receiver, referee, administrator, executor, guardian, or trustee."

SEC. 11. Section 14 of said Act is amended by adding at the end thereof the following:

"It shall be unlawful within the District of Columbia for any person, firm, partnership, association, or corporation, foreign or domestic, either as owner or otherwise, to offer, give, award, or promise, or to use any method, scheme or plan offering, giving, awarding, or promising free lots in connection with the sale or the offering for sale or an attempt to sell or negotiate the sale of any real estate or interest therein, wherever situated, for the purpose of attracting, inducing, persuading, or influencing a purchaser or a prospective purchaser; or to offer, promise, or give prizes of any name or nature for attendance at or participation in any sale of real estate, by auction or otherwise.

"It shall be unlawful for any person, firm, partnership, association, or corporation knowingly to pay a fee, commission, or com-

50 Stat. 795.  
20 D. C. Code,  
Supp. IV, § 1979.

Nonresident brokers and salesmen.  
Maintenance of place of business in D. C.

50 Stat. 796.  
20 D. C. Code,  
Supp. IV, § 1981.

Banks, etc., engaged in brokerage business not exempt from provisions of Act.

50 Stat. 796.  
20 D. C. Code,  
Supp. IV, § 1983.

Fraudulent transfers or loans.  
Inducing sale by offering free lots or prizes.

Payment of fee, etc., to unlicensed broker.

Division of fee with a nonresident cooperating broker.

Bonds with corporate sureties.  
50 Stat. 787.  
20 D. C. Code, Supp. IV, §§ 1970-1988.

pensation to anyone for the performance within the District of Columbia of any service or act defined in this Act as the act of a real-estate broker, real-estate salesman, business-chance broker, or business-chance salesman, who was not duly licensed as such at the time such service or act was performed, provided that this paragraph shall not apply to the division of commission by a broker licensed hereunder with a nonresident cooperating broker."

SEC. 12. No license heretofore issued under the authority of said Act of Congress approved March 25, 1937, where the application therefor was accompanied by a bond which does not conform with the requirements of said Act as amended hereby, shall be reissued or renewed unless the application for such reissuance or renewal shall be accompanied by a bond in accordance with said Act as amended by this Act.

Approved, August 10, 1939.

# [CHAPTER 665]

## AN ACT

To amend the Government Losses in Shipment Act.

August 10, 1939  
[H. R. 6614]  
[Public, No. 378]

Government Losses in Shipment Act, amendments.  
50 Stat. 480.  
5 U. S. C., Supp. IV, § 134b.  
Public Debt Service, shipments of valuables.

40 Stat. 292.  
31 U. S. C. §§ 760, 761.  
Transfer of fund.

50 Stat. 479.

Losses of Post Office Department while acting as Treasury agent.

Proviso.  
Liability of employees.

22 Stat. 29.  
39 U. S. C. § 49.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the second proviso of section 3 of the Government Losses in Shipment Act, approved July 8, 1937 (50 Stat. 480; U. S. C., 1934 edition, Supp. IV, title 5, sec. 134b), is hereby amended to read as follows: "*Provided further*, That the fund shall be available for the replacement of any loss or destruction of, or damage to, valuables shipped by or on behalf of the Public Debt Service of the Treasury Department prior to the effective date of this amendment, the replacement of which was chargeable against the securities trust fund established under authority of the indefinite appropriation 'Expenses of loans, Act of September 24, 1917, as amended and extended' (U. S. C., 1934 edition, title 31, secs. 760, 761); and the Secretary of the Treasury is hereby authorized and directed to transfer on the books of the Treasury Department the amount standing to the credit of the securities trust fund and credit the same to the fund."

"SEC. 2. The Government Losses in Shipment Act (50 Stat. 479; U. S. C., 1934 edition, Supp. IV, title 5, secs. 134-134h; title 31, secs. 528, 738a), is hereby amended by adding the following sections to the end of section 3 thereof:

"SEC. 3a. All losses or destruction of, or damage to, internal revenue or other stamps, United States securities, or other obligations of the United States, and funds, occurring heretofore or hereafter, but not prior to February 4, 1935, while such stamps, securities, obligations, or funds were in the custody or possession of, or charged to, the Post Office Department or Postal Service while it was acting as agent for, or on behalf of, the Treasury Department for the sale of such stamps, securities, or obligations and for the collection of such funds, irrespective of the manner in which such loss, destruction, or damage occurred, shall be replaced out of the fund under such regulations as the Secretary of the Treasury may prescribe: *Provided, however*, That no postmaster, Navy mail clerk, or assistant Navy mail clerk having the custody or possession of such stamps, securities, obligations, or funds at the time of the loss, destruction, or damage shall be relieved of any liability to the United States or receive credit in his accounts for such loss, destruction, or damage under the provisions of the Act of March 17, 1882, as amended (U. S. C., 1934 edition, title 39, sec. 49), until the Postmaster General and the Secretary of the Treasury have jointly determined that such loss, destruction, or damage resulted

from no fault or negligence on the part of such postmaster, Navy mail clerk, or assistant Navy mail clerk.

"SEC. 3b. The Secretary of the Treasury is hereby authorized to execute and deliver, on behalf of the United States, such binding agreements of indemnity as he may deem necessary and proper to enable the United States to obtain the replacement of any instrument or document received by the United States or any agent of the United States in his official capacity which, after having been so received, became lost, destroyed, or so mutilated as to impair its value: *Provided, however*, That no such agreement of indemnity shall operate to obligate the United States in any case in which the obligee named therein makes any payment or delivery not required by law on the original of the instrument or document covered thereby. The fund shall be available for the payment of any obligation arising out of any agreement executed by the Secretary of the Treasury under this section."

SEC. 3. Section 7 (a) of the Government Losses in Shipment Act (50 Stat. 480; U. S. C., 1934 edition, Supp. IV, title 5, sec. 134f (a)), is hereby amended to read as follows:

"(a) The term 'valuables' means any articles or things or representatives of value in which the United States has any interest, or in connection with which it has any obligation or responsibility, direct or indirect, and which are declared to be valuables within the meaning of this Act by the Secretary of the Treasury. No articles or things shall be declared to be valuables by the Secretary of the Treasury unless he determines that replacement thereof in accordance with the procedure established herein, in the event of loss, destruction, or damage in the course of shipment, would be in the public interest. The term 'United States' as used in this subsection and in section 3b means the United States, its executive departments, independent establishments, and agencies, including wholly owned corporations, and officers and employees of any of the foregoing while acting in their official capacity."

SEC. 4. So much of section 8 (b) (4) of the Government Losses in Shipment Act (50 Stat. 482; U. S. C., 1934 edition, Supp. IV, title 31, sec. 738a (b) (4)), as precedes the proviso is hereby amended to read as follows:

"(4) if the owner or holder is the United States or an officer or employee thereof in his official capacity, a State, the District of Columbia, a Territory or possession of the United States, including the Commonwealth of the Philippine Islands, a municipal corporation or political subdivision of any of the foregoing, a corporation the whole of whose capital is owned by the United States, a foreign government, or a Federal Reserve bank:"

SEC. 5. Section 9 (b) (1) of the Government Losses in Shipment Act (50 Stat. 483; U. S. C., 1934 edition, Supp. IV, title 31, sec. 528 (b) (1)), is hereby amended by changing the phrase included within the parentheses to read as follows: "including the Postal Service when carrying mail for any officer, employee, agent, or agency of the United States when performing services in connection with an official function of the United States, but not including the Postal Service when otherwise acting solely in its capacity as a public carrier of the mail."

SEC. 6. So much of section 9 (b) (5) of the Government Losses in Shipment Act (50 Stat. 483; U. S. C., 1934 edition, Supp. IV, title 31, sec. 528 (b) (5)), as precedes the proviso is hereby amended to read as follows:

"(5) if the owner or holder is the United States or an officer or employee thereof in his official capacity, a State, the District of

Indemnity agreements.

*Proviso.*  
No Federal obligation where obligee makes payment not required by law, etc.

Use of fund for payment.

50 Stat. 480.  
5 U. S. C., Supp. IV, § 134f (a).

"Valuables" defined.

Determination of articles covered.

"United States."

50 Stat. 482.  
31 U. S. C., Supp. IV, § 738a (b) (4).

Indemnity bonds.  
If owner or holder is United States, etc.

50 Stat. 483.  
31 U. S. C., Supp. IV, § 528 (b) (1).

Indemnity bond not required in certain cases.  
Loss of check while in U. S. custody, etc.

50 Stat. 483.  
31 U. S. C., Supp. IV, § 528 (b) (5).

If owner or holder is United States, etc.



Columbia, a Territory or possession of the United States, including the Commonwealth of the Philippine Islands, a municipal corporation or political subdivision of any of the foregoing, a corporation the whole of whose capital is owned by the United States, a foreign government, or a Federal Reserve bank.”

50 Stat. 484.  
31 U. S. C., Supp.  
IV, § 528 (f).

Term “original  
check” defined.

SEC. 7. Section 9 (f) of the Government Losses in Shipment Act (50 Stat. 484; U. S. C., 1934 edition, Supp. IV, title 31, sec. 528 (f)), is hereby amended to read as follows:

“(f) The term ‘original check’ wherever used in this section means any check, warrant, or other order for the payment of money, payable upon demand and not bearing interest, drawn by a duly authorized officer or agent of the United States, the District of Columbia, or the District Unemployment Compensation Board, on their behalf against an account or funds of the United States, the District of Columbia, or the District Unemployment Compensation Board, including instruments issued by any corporation or other entity owned or controlled by the United States, the funds of which are deposited and covered into the Treasury of the United States or deposited with the Treasurer of the United States, but does not include money, coins, or currency of the United States; as used in subsection (d) of this section it means such an instrument drawn by a duly authorized officer or employee of the Post Office Department.”

Exceptions.

Approved, August 10, 1939.

#### [CHAPTER 666]

#### AN ACT

To amend the Social Security Act, and for other purposes.

August 10, 1939  
[H. R. 6635]  
[Public, No. 379]

Social Security Act  
Amendments of 1939.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That this Act may be cited as the “Social Security Act Amendments of 1939”.

#### TITLE I—AMENDMENTS TO TITLE I OF THE SOCIAL SECURITY ACT

State old-age assist-  
ance plans, require-  
ments.  
49 Stat. 620.  
42 U. S. C., Supp.  
IV, § 302.

SEC. 101. Section 2 (a) of the Social Security Act is amended to read as follows:

“(a) A State plan for old-age assistance must (1) provide that it shall be in effect in all political subdivisions of the State, and, if administered by them, be mandatory upon them; (2) provide for financial participation by the State; (3) either provide for the establishment or designation of a single State agency to administer the plan, or provide for the establishment or designation of a single State agency to supervise the administration of the plan; (4) provide for granting to any individual, whose claim for old-age assistance is denied, an opportunity for a fair hearing before such State agency; (5) provide such methods of administration (including after January 1, 1940, methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Board shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods) as are found by the Board to be necessary for the proper and efficient operation of the plan; (6) provide that the State agency will make such reports, in such form and containing such information, as the Board may from time to time require, and comply with such provisions as the Board may from time to time find necessary to assure the correctness and verification of such reports; (7) effective July 1, 1941, provide that the State

agency shall, in determining need, take into consideration any other income and resources of an individual claiming old-age assistance; and (8) effective July 1, 1941, provide safeguards which restrict the use or disclosure of information concerning applicants and recipients to purposes directly connected with the administration of old-age assistance."

SEC. 102. Effective January 1, 1940, section 3 of such Act is amended to read as follows:

49 Stat. 621.  
42 U. S. C., Supp.  
IV, § 303.

"PAYMENT TO STATES

"SEC. 3. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for old-age assistance, for each quarter, beginning with the quarter commencing January 1, 1940, (1) an amount, which shall be used exclusively as old-age assistance, equal to one-half of the total of the sums expended during such quarter as old-age assistance under the State plan with respect to each needy individual who at the time of such expenditure is sixty-five years of age or older and is not an inmate of a public institution, not counting so much of such expenditure with respect to any individual for any month as exceeds \$40, and (2) 5 per centum of such amount, which shall be used for paying the costs of administering the State plan or for old-age assistance, or both, and for no other purpose.

Amount to be paid  
for each quarter.

Determination.

Administrative  
costs.

"(b) The method of computing and paying such amounts shall be as follows:

Method of com-  
puting and paying  
amounts.

Estimate by Board.

Bases of estimate.

"(1) The Board shall, prior to the beginning of each quarter, estimate the amount to be paid to the State for such quarter under the provisions of clause (1) of subsection (a), such estimate to be based on (A) a report filed by the State containing its estimate of the total sum to be expended in such quarter in accordance with the provisions of such clause, and stating the amount appropriated or made available by the State and its political subdivisions for such expenditures in such quarter, and if such amount is less than one-half of the total sum of such estimated expenditures, the source or sources from which the difference is expected to be derived, (B) records showing the number of aged individuals in the State, and (C) such other investigation as the Board may find necessary.

Certification of  
amount by Board;  
reductions or in-  
creases.

"(2) The Board shall then certify to the Secretary of the Treasury the amount so estimated by the Board, (A) reduced or increased, as the case may be, by any sum by which it finds that its estimate for any prior quarter was greater or less than the amount which should have been paid to the State under clause (1) of subsection (a) for such quarter, and (B) reduced by a sum equivalent to the pro rata share to which the United States is equitably entitled, as determined by the Board, of the net amount recovered during any prior quarter by the State or any political subdivision thereof with respect to old-age assistance furnished under the State plan; except that such increases or reductions shall not be made to the extent that such sums have been applied to make the amount certified for any prior quarter greater or less than the amount estimated by the Board for such prior quarter: *Provided*, That any part of the amount recovered from the estate of a deceased recipient which is not in excess of the amount expended by the State or any political subdivision thereof for the funeral expenses of the deceased shall not be considered as a basis for reduction under clause (B) of this paragraph.

Exception.

*Proviso.*  
Recoveries from es-  
tates of deceased re-  
cipients.

Payments prior to audit, etc., by General Accounting Office.

"Old-age assistance" defined.  
49 Stat. 622.  
42 U. S. C., Supp. IV, § 306.

"(3) The Secretary of the Treasury shall thereupon, through the Division of Disbursement of the Treasury Department and prior to audit or settlement by the General Accounting Office, pay to the State, at the time or times fixed by the Board, the amount so certified, increased by 5 per centum."

SEC. 103. Section 6 of such Act is amended to read as follows:

"SEC. 6. When used in this title the term 'old-age assistance' means money payments to needy aged individuals."

## TITLE II—AMENDMENT TO TITLE II OF THE SOCIAL SECURITY ACT

49 Stat. 622.  
42 U. S. C., Supp. IV, §§ 401-410a.

SEC. 201. Effective January 1, 1940, title II of such Act is amended to read as follows:

### "TITLE II—FEDERAL OLD-AGE AND SURVIVORS INSURANCE BENEFITS

#### "FEDERAL OLD-AGE AND SURVIVORS INSURANCE TRUST FUND

Creation.

Securities, etc., constituting fund.

Appropriations, 1941 and thereafter.

I. R. C. ch. 9, sub-ch. A, Post, p. 1387.  
Board of Trustees created.

Composition.

Managing Trustee.

Duties of Board.

Reports to Congress.

"SEC. 201. (a) There is hereby created on the books of the Treasury of the United States a trust fund to be known as the 'Federal Old-Age and Survivors Insurance Trust Fund' (hereinafter in this title called the 'Trust Fund'). The Trust Fund shall consist of the securities held by the Secretary of the Treasury for the Old Age Reserve Account and the amount standing to the credit of the Old Age Reserve Account on the books of the Treasury on January 1, 1940, which securities and amount the Secretary of the Treasury is authorized and directed to transfer to the Trust Fund, and, in addition, such amounts as may be appropriated to the Trust Fund as hereinafter provided. There is hereby appropriated to the Trust Fund for the fiscal year ending June 30, 1941, and for each fiscal year thereafter, out of any moneys in the Treasury not otherwise appropriated, amounts equivalent to 100 per centum of the taxes (including interest, penalties, and additions to the taxes) received under the Federal Insurance Contributions Act and covered into the Treasury.

"(b) There is hereby created a body to be known as the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund (hereinafter in this title called the 'Board of Trustees') which Board of Trustees shall be composed of the Secretary of the Treasury, the Secretary of Labor, and the Chairman of the Social Security Board, all ex officio. The Secretary of the Treasury shall be the Managing Trustee of the Board of Trustees (hereinafter in this title called the 'Managing Trustee'). It shall be the duty of the Board of Trustees to—

"(1) Hold the Trust Fund;

"(2) Report to the Congress on the first day of each regular session of the Congress on the operation and status of the Trust Fund during the preceding fiscal year and on its expected operation and status during the next ensuing five fiscal years;

"(3) Report immediately to the Congress whenever the Board of Trustees is of the opinion that during the ensuing five fiscal years the Trust Fund will exceed three times the highest annual expenditures anticipated during that five-fiscal-year period, and whenever the Board of Trustees is of the opinion that the amount of the Trust Fund is unduly small.

The report provided for in paragraph (2) above shall include a statement of the assets of, and the disbursements made from, the Trust Fund during the preceding fiscal year, an estimate of the expected future income to, and disbursements to be made from, the

Trust Fund during each of the next ensuing five fiscal years, and a statement of the actuarial status of the Trust Fund.

"(c) It shall be the duty of the Managing Trustee to invest such portion of the Trust Fund as is not, in his judgment, required to meet current withdrawals. Such investments may be made only in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. For such purpose such obligations may be acquired (1) on original issue at par, or (2) by purchase of outstanding obligations at the market price. The purposes for which obligations of the United States may be issued under the Second Liberty Bond Act, as amended, are hereby extended to authorize the issuance at par of special obligations exclusively to the Trust Fund. Such special obligations shall bear interest at a rate equal to the average rate of interest, computed as to the end of the calendar month next preceding the date of such issue, borne by all interest-bearing obligations of the United States then forming a part of the Public Debt; except that where such average rate is not a multiple of one-eighth of 1 per centum, the rate of interest of such special obligations shall be the multiple of one-eighth of 1 per centum next lower than such average rate. Such special obligations shall be issued only if the Managing Trustee determines that the purchase of other interest-bearing obligations of the United States, or of obligations guaranteed as to both principal and interest by the United States on original issue or at the market price, is not in the public interest.

"(d) Any obligations acquired by the Trust Fund (except special obligations issued exclusively to the Trust Fund) may be sold by the Managing Trustee at the market price, and such special obligations may be redeemed at par plus accrued interest.

"(e) The interest on, and the proceeds from the sale or redemption of, any obligations held in the Trust Fund shall be credited to and form a part of the Trust Fund.

"(f) The Managing Trustee is directed to pay from the Trust Fund into the Treasury the amount estimated by him and the Chairman of the Social Security Board which will be expended during a three month period by the Social Security Board and the Treasury Department for the administration of Title II and Title VIII of this Act, and the Federal Insurance Contributions Act. Such payments shall be covered into the Treasury as repayments to the account for reimbursement of expenses incurred in connection with the administration of Titles II and VIII of this Act and the Federal Insurance Contributions Act. Such repayments shall not be available for expenditures but shall be carried to the surplus fund of the Treasury. If it subsequently appear that the estimates in any particular three month period were too high or too low, appropriate adjustments shall be made by the Managing Trustee in future payments.

"(g) All amounts credited to the Trust Fund shall be available for making payments required under this title.

Investment of surplus funds.

Acquisition of obligations.

Issuance of special obligations.  
40 Stat. 288.  
31 U. S. C. ch. 12; Supp. IV, ch. 12.  
*Ante*, p. 1071.  
Interest rate.

Condition.

Sale of regular obligations.

Redemption of special obligations.

Crediting of interest, etc.

Payments into Treasury.

*Ante*, p. 1362.  
49 Stat. 636.  
42 U. S. C., Supp. IV, §§ 1001-1011.  
*Post*, p. 1387.  
I. R. C. ch. 9, subch. A.

Not available for expenditures.

Adjustments.

Availability of amounts credited to Trust Fund.

#### "OLD-AGE AND SURVIVORS INSURANCE BENEFIT PAYMENTS

##### "Primary Insurance Benefits

"SEC. 202. (a) Every individual, who (1) is a fully insured individual (as defined in section 209 (g)) after December 31, 1939, (2) has attained the age of sixty-five, and (3) has filed application for primary insurance benefits, shall be entitled to receive a primary insurance benefit (as defined in section 209 (e)) for each month,

Beneficiaries.

*Post*, p. 1376.

Benefit period. beginning with the month in which such individual becomes so entitled to such insurance benefits and ending with the month preceding the month in which he dies.

#### "Wife's Insurance Benefits

Beneficiaries.  
*Post*, p. 1377.

"(b) (1) Every wife (as defined in section 209 (i)) of an individual entitled to primary insurance benefits, if such wife (A) has attained the age of sixty-five, (B) has filed application for wife's insurance benefits, (C) was living with such individual at the time such application was filed, and (D) is not entitled to receive primary insurance benefits, or is entitled to receive primary insurance benefits each of which is less than one-half of a primary insurance benefit of her husband, shall be entitled to receive a wife's insurance benefit for each month, beginning with the month in which she becomes so entitled to such insurance benefits, and ending with the month immediately preceding the first month in which any of the following occurs: she dies, her husband dies, they are divorced a vinculo matrimonii, or she becomes entitled to receive a primary insurance benefit equal to or exceeding one-half of a primary insurance benefit of her husband.

Benefit period.

Rate.

"(2) Such wife's insurance benefit for each month shall be equal to one-half of a primary insurance benefit of her husband, except that, if she is entitled to receive a primary insurance benefit for any month, such wife's insurance benefit for such month shall be reduced by an amount equal to a primary insurance benefit of such wife.

#### "Child's Insurance Benefits

Beneficiaries.  
*Post*, p. 1377.

"(c) (1) Every child (as defined in section 209 (k)) of an individual entitled to primary insurance benefits, or of an individual who died a fully or currently insured individual (as defined in section 209 (g) and (h)) after December 31, 1939, if such child (A) has filed application for child's insurance benefits, (B) at the time such application was filed was unmarried and had not attained the age of 18, and (C) was dependent upon such individual at the time such application was filed, or, if such individual has died, was dependent upon such individual at the time of such individual's death, shall be entitled to receive a child's insurance benefit for each month, beginning with the month in which such child becomes so entitled to such insurance benefits, and ending with the month immediately preceding the first month in which any of the following occurs: such child dies, marries, is adopted, or attains the age of eighteen.

Benefit period.

Rate.

"(2) Such child's insurance benefit for each month shall be equal to one-half of a primary insurance benefit of the individual with respect to whose wages the child is entitled to receive such benefit, except that, when there is more than one such individual such benefit shall be equal to one-half of whichever primary insurance benefit is greatest.

Child deemed dependent upon father, etc.; conditions.

"(3) A child shall be deemed dependent upon a father or adopting father, or to have been dependent upon such individual at the time of the death of such individual, unless, at the time of such death, or, if such individual was living, at the time such child's application for child's insurance benefits was filed, such individual was not living with or contributing to the support of such child and—

"(A) such child is neither the legitimate nor adopted child of such individual, or

"(B) such child had been adopted by some other individual, or

"(C) such child, at the time of such individual's death, was living with and supported by such child's stepfather.

"(4) A child shall be deemed dependent upon a mother, adopting mother, or stepparent, or to have been dependent upon such individual at the time of the death of such individual, only if, at the time of such death, or, if such individual was living, at the time such child's application for child's insurance benefits was filed, no parent other than such individual was contributing to the support of such child and such child was not living with its father or adopting father.

Child deemed dependent upon mother, etc.; conditions.

#### "Widow's Insurance Benefits

"(d) (1) Every widow (as defined in section 209 (j)) of an individual who died a fully insured individual after December 31, 1939, if such widow (A) has not remarried, (B) has attained the age of sixty-five, (C) has filed application for widow's insurance benefits, (D) was living with such individual at the time of his death, and (E) is not entitled to receive primary insurance benefits, or is entitled to receive primary insurance benefits each of which is less than three-fourths of a primary insurance benefit of her husband, shall be entitled to receive a widow's insurance benefit for each month, beginning with the month in which she becomes so entitled to such insurance benefits and ending with the month immediately preceding the first month in which any of the following occurs: she remarries, dies, or becomes entitled to receive a primary insurance benefit equal to or exceeding three-fourths of a primary insurance benefit of her husband.

Beneficiaries.  
*Post*, p. 1377.

Benefit period.

"(2) Such widow's insurance benefit for each month shall be equal to three-fourths of a primary insurance benefit of her deceased husband, except that, if she is entitled to receive a primary insurance benefit for any month, such widow's insurance benefit for such month shall be reduced by an amount equal to a primary insurance benefit of such widow.

Rate.

#### "Widow's Current Insurance Benefits

"(e) (1) Every widow (as defined in section 209 (j)) of an individual who died a fully or currently insured individual after December 31, 1939, if such widow (A) has not remarried, (B) is not entitled to receive a widow's insurance benefit, and is not entitled to receive primary insurance benefits, or is entitled to receive primary insurance benefits each of which is less than three-fourths of a primary insurance benefit of her husband, (C) was living with such individual at the time of his death, (D) has filed application for widow's current insurance benefits, and (E) at the time of filing such application has in her care a child of such deceased individual entitled to receive a child's insurance benefit, shall be entitled to receive a widow's current insurance benefit for each month, beginning with the month in which she becomes so entitled to such current insurance benefits and ending with the month immediately preceding the first month in which any of the following occurs: no child of such deceased individual is entitled to receive a child's insurance benefit, she becomes entitled to receive a primary insurance benefit equal to or exceeding three-fourths of a primary insurance benefit of her deceased husband, she becomes entitled to receive a widow's insurance benefit, she remarries, she dies.

Beneficiaries.  
*Post*, p. 1377.

Benefit period.

"(2) Such widow's current insurance benefit for each month shall be equal to three-fourths of a primary insurance benefit of her deceased husband, except that, if she is entitled to receive a primary insurance benefit for any month, such widow's current insurance benefit for such month shall be reduced by an amount equal to a primary insurance benefit of such widow.

Rate.

### "Parent's Insurance Benefit"

Beneficiaries.

"(f) (1) Every parent (as defined in this subsection) of an individual who died a fully insured individual after December 31, 1939, leaving no widow and no unmarried surviving child under the age of eighteen, if such parent (A) has attained the age of sixty-five, (B) was wholly dependent upon and supported by such individual at the time of such individual's death and filed proof of such dependency and support within two years of such date of death, (C) has not married since such individual's death, (D) is not entitled to receive any other insurance benefits under this section, or is entitled to receive one or more of such benefits for a month, but the total for such month is less than one-half of a primary insurance benefit of such deceased individual, and (E) has filed application for parent's insurance benefits, shall be entitled to receive a parent's insurance benefit for each month, beginning with the month in which such parent becomes so entitled to such parent's insurance benefits and ending with the month immediately preceding the first month in which any of the following occurs: such parent dies, marries, or becomes entitled to receive for any month an insurance benefit or benefits (other than a benefit under this subsection) in a total amount equal to or exceeding one-half of a primary insurance benefit of such deceased individual.

Benefit period.

Rate.

"(2) Such parent's insurance benefit for each month shall be equal to one-half of a primary insurance benefit of such deceased individual, except that, if such parent is entitled to receive an insurance benefit or benefits for any month (other than a benefit under this subsection), such parent's insurance benefit for such month shall be reduced by an amount equal to the total of such other benefit or benefits for such month. When there is more than one such individual with respect to whose wages the parent is entitled to receive a parent's insurance benefit for a month, such benefit shall be equal to one-half of whichever primary insurance benefit is greatest.

"Parent" defined.

"(3) As used in this subsection, the term 'parent' means the mother or father of an individual, a stepparent of an individual by a marriage contracted before such individual attained the age of sixteen, or an adopting parent by whom an individual was adopted before he attained the age of sixteen.

### "Lump-Sum Death Payments"

Lump-sum death payments.

Amount of payment.

Persons entitled to benefits.

"(g) Upon the death, after December 31, 1939, of an individual who died a fully or currently insured individual leaving no surviving widow, child, or parent who would, on filing application in the month in which such individual died, be entitled to a benefit for such month under subsection (c), (d), (e), or (f) of this section, an amount equal to six times a primary insurance benefit of such individual shall be paid in a lump-sum to the following person (or if more than one, shall be distributed among them) whose relationship to the deceased is determined by the Board, and who is living on the date of such determination: To the widow or widower of the deceased; or, if no such widow or widower be then living, to any child or children of the deceased and to any other person or persons who are, under the intestacy law of the State where the deceased was domiciled, entitled to share as distributees with such children of the deceased, in such proportions as is provided by such law; or, if no widow or widower and no such child and no such other person be then living, to the parent or to the parents of the deceased, in equal shares. A person who is entitled to share as distributee with an above-named relative

of the deceased shall not be precluded from receiving a payment under this subsection by reason of the fact that no such named relative survived the deceased or of the fact that no such named relative of the deceased was living on the date of such determination. If none of the persons described in this subsection be living on the date of such determination, such amount shall be paid to any person or persons, equitably entitled thereto, to the extent and in the proportions that he or they shall have paid the expenses of burial of the deceased. No payment shall be made to any person under this subsection, unless application therefor shall have been filed, by or on behalf of any such person (whether or not legally competent), prior to the expiration of two years after the date of death of such individual.

Application; time  
for filing.

#### "APPLICATION

"(h) An individual who would have been entitled to a benefit under subsection (b), (c), (d), (e), or (f) for any month had he filed application therefor prior to the end of such month, shall be entitled to such benefit for such month if he files application therefor prior to the end of the third month immediately succeeding such month.

Monthly benefits,  
time for filing applica-  
tion.

#### "REDUCTION AND INCREASE OF INSURANCE BENEFITS

"SEC. 203. (a) Whenever the total of benefits under section 202, payable for a month with respect to an individual's wages, is more than \$20 and exceeds (1) \$85, or (2) an amount equal to twice a primary insurance benefit of such individual, or (3) an amount equal to 80 per centum of his average monthly wage (as defined in section 209 (f)), whichever of such three amounts is least, such total of benefits shall, prior to any deductions under subsections (d), (e), or (h), be reduced to such least amount or to \$20, whichever is greater.

Reduction; basis.  
*Post*, p. 1402.

*Post*, p. 1376.

"(b) Whenever the benefit or total of benefits under section 202, payable for a month with respect to an individual's wages, is less than \$10, such benefit or total of benefits shall, prior to any deductions under subsections (d), (e), or (h), be increased to \$10.

Increase; basis.

"(c) Whenever a decrease or increase of the total of benefits for a month is made under subsection (a) or (b) of this section, each benefit, except the primary benefit, shall be proportionately decreased or increased, as the case may be.

Proportionate re-  
duction or increase.

"(d) Deductions, in such amounts and at such time or times as the Board shall determine, shall be made from any payment or payments under this title to which an individual is entitled, until the total of such deductions equals such individual's benefit or benefits for any month in which such individual:

Causes for deduc-  
tions.

"(1) rendered services for wages of not less than \$15; or

"(2) if a child under eighteen and over sixteen years of age, failed to attend school regularly and the Board finds that attendance was feasible; or

"(3) if a widow entitled to a widow's current insurance benefit, did not have in her care a child of her deceased husband entitled to receive a child's insurance benefit.

"(e) Deductions shall be made from any wife's or child's insurance benefit to which a wife or child is entitled, until the total of such deductions equals such wife's or child's insurance benefit or benefits for any month in which the individual, with respect to whose wages such benefit was payable, rendered services for wages of not less than \$15.

"(f) If more than one event occurs in any one month which would occasion deductions equal to a benefit for such month, only an amount equal to such benefit shall be deducted.

Duplication of de-  
ductions.



Report to Board if benefits subject to deduction.

Failure to report; penalty.

Deductions totaling amount of lump-sum payment.

49 Stat. 624.  
42 U. S. C., Supp. IV, § 404.

“(g) Any individual in receipt of benefits subject to deduction under subsection (d) or (e) (or who is in receipt of such benefits on behalf of another individual), because of the occurrence of an event enumerated therein, shall report such occurrence to the Board prior to the receipt and acceptance of an insurance benefit for the second month following the month in which such event occurred. Any such individual having knowledge thereof, who fails to report any such occurrence, shall suffer an additional deduction equal to that imposed under subsection (d) or (e).

“(h) Deductions shall also be made from any primary insurance benefit to which an individual is entitled, or from any other insurance benefit payable with respect to such individual's wages, until such deductions total the amount of any lump sum paid to such individual under section 204 of the Social Security Act in force prior to the date of enactment of the Social Security Act Amendments of 1939.

#### “OVERPAYMENTS AND UNDERPAYMENTS

Adjustment.

If individual dies before adjustment completed.

No adjustment or recovery by U. S. in certain cases.

No liability of certifying or disbursing officer, conditions.

“SEC. 204. (a) Whenever an error has been made with respect to payments to an individual under this title (including payments made prior to January 1, 1940), proper adjustment shall be made, under regulations prescribed by the Board, by increasing or decreasing subsequent payments to which such individual is entitled. If such individual dies before such adjustment has been completed, adjustment shall be made by increasing or decreasing subsequent benefits payable with respect to the wages which were the basis of benefits of such deceased individual.

“(b) There shall be no adjustment or recovery by the United States in any case where incorrect payment has been made to an individual who is without fault (including payments made prior to January 1, 1940), and where adjustment or recovery would defeat the purpose of this title or would be against equity and good conscience.

“(c) No certifying or disbursing officer shall be held liable for any amount certified or paid by him to any person where the adjustment or recovery of such amount is waived under subsection (b), or where adjustment under subsection (a) is not completed prior to the death of all persons against whose benefits deductions are authorized.

#### “EVIDENCE, PROCEDURE, AND CERTIFICATION FOR PAYMENT

Rules, regulations, etc.

Determination of rights to benefits.

Hearings, investigations, etc.

“SEC. 205. (a) The Board shall have full power and authority to make rules and regulations and to establish procedures, not inconsistent with the provisions of this title, which are necessary or appropriate to carry out such provisions, and shall adopt reasonable and proper rules and regulations to regulate and provide for the nature and extent of the proofs and evidence and the method of taking and furnishing the same in order to establish the right to benefits hereunder.

“(b) The Board is directed to make findings of fact, and decisions as to the rights of any individual applying for a payment under this title. Whenever requested by any such individual or whenever requested by a wife, widow, child, or parent who makes a showing in writing that his or her rights may be prejudiced by any decision the Board has rendered, it shall give such applicant and such other individual reasonable notice and opportunity for a hearing with respect to such decision, and, if a hearing is held, shall, on the basis of evidence adduced at the hearing, affirm, modify, or reverse its findings of fact and such decision. The Board is further authorized, on its own motion, to hold such hearings and to conduct such investigations and

other proceedings as it may deem necessary or proper for the administration of this title. In the course of any hearing, investigation, or other proceeding, it may administer oaths and affirmations, examine witnesses, and receive evidence. Evidence may be received at any hearing before the Board even though inadmissible under rules of evidence applicable to court procedure.

“(c) (1) On the basis of information obtained by or submitted to the Board, and after such verification thereof as it deems necessary, the Board shall establish and maintain records of the amounts of wages paid to each individual and of the periods in which such wages were paid and, upon request, shall inform any individual, or after his death shall inform the wife, child, or parent of such individual, of the amounts of wages of such individual and the periods of payments shown by such records at the time of such request. Such records shall be evidence, for the purpose of proceedings before the Board or any court, of the amounts of such wages and the periods in which they were paid, and the absence of an entry as to an individual's wages in such records for any period shall be evidence that no wages were paid such individual in such period.

“(2) After the expiration of the fourth calendar year following any year in which wages were paid or are alleged to have been paid an individual, the records of the Board as to the wages of such individual for such year and the periods of payment shall be conclusive for the purposes of this title, except as hereafter provided.

“(3) If, prior to the expiration of such fourth year, it is brought to the attention of the Board that any entry of such wages in such records is erroneous, or that any item of such wages has been omitted from the records, the Board may correct such entry or include such omitted item in its records, as the case may be. Written notice of any revision of any such entry, which is adverse to the interests of any individual, shall be given to such individual, in any case where such individual has previously been notified by the Board of the amount of wages and of the period of payments shown by such entry. Upon request in writing made prior to the expiration of such fourth year, or within sixty days thereafter, the Board shall afford any individual, or after his death shall afford the wife, child, or parent of such individual, reasonable notice and opportunity for hearing with respect to any entry or alleged omission of wages of such individual in such records, or any revision of any such entry. If a hearing is held, the Board shall make findings of fact and a decision based upon the evidence adduced at such hearing and shall revise its records as may be required by such findings and decision.

“(4) After the expiration of such fourth year, the Board may revise any entry or include in its records any omitted item of wages to conform its records with tax returns or portions of tax returns (including information returns and other written statements) filed with the Commissioner of Internal Revenue under title VIII of the Social Security Act or the Federal Insurance Contributions Act or under regulations made under authority thereof. Notice shall be given of such revision under such conditions and to such individuals as is provided for revisions under paragraph (3) of this subsection. Upon request, notice and opportunity for hearing with respect to any such entry, omission, or revision, shall be afforded under such conditions and to such individuals as is provided in paragraph (3) hereof, but no evidence shall be introduced at any such hearing except with respect to conformity of such records with such tax returns and such other data submitted under such title VIII or the Federal Insurance Contributions Act or under such regulations.

Wage records.

Use as evidence.

Conclusiveness of records after specified lapse of time.

Exception.

Correction of records prior to expiration of fourth year.

Written notice to individuals.

Hearing.

Decision by Board.

Correction of records after expiration of fourth year.

49 Stat. 636.  
Post, p. 1387.  
I. R. C. ch. 9, subch.

A. Notice.

Hearing.

Review of Board decisions.

Issuance of subpoenas by Board.

Service of subpoenas.

Proof of service.

Fees and mileage of witnesses.

Court order requiring obedience to subpoena.

Failure to obey; penalty.

Privilege against self-incrimination.

Perjury.

Review of final decision of Board.

Bringing of civil action.

Filing of evidence etc., by Board.

Court judgment.

Conclusiveness of Board's findings of fact.

Question to be reviewed by court.

"(5) Decisions of the Board under this subsection shall be reviewable by commencing a civil action in the district court of the United States as provided in subsection (g) hereof.

"(d) For the purpose of any hearing, investigation, or other proceeding authorized or directed under this title, or relative to any other matter within its jurisdiction hereunder, the Board shall have power to issue subpoenas requiring the attendance and testimony of witnesses and the production of any evidence that relates to any matter under investigation or in question before the Board. Such attendance of witnesses and production of evidence at the designated place of such hearing, investigation, or other proceeding may be required from any place in the United States or in any Territory or possession thereof. Subpoenas of the Board shall be served by anyone authorized by it (1) by delivering a copy thereof to the individual named therein, or (2) by registered mail addressed to such individual at his last dwelling place or principal place of business. A verified return by the individual so serving the subpoena setting forth the manner of service, or, in the case of service by registered mail, the return post-office receipt therefor signed by the individual so served, shall be proof of service. Witnesses so subpoenaed shall be paid the same fees and mileage as are paid witnesses in the district courts of the United States.

"(e) In case of contumacy by, or refusal to obey a subpoena duly served upon, any person, any district court of the United States for the judicial district in which said person charged with contumacy or refusal to obey is found or resides or transacts business, upon application by the Board, shall have jurisdiction to issue an order requiring such person to appear and give testimony, or to appear and produce evidence, or both; any failure to obey such order of the court may be punished by said court as contempt thereof.

"(f) No person so subpoenaed or ordered shall be excused from attending and testifying or from producing books, records, correspondence, documents, or other evidence on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no person shall be prosecuted or subjected to any penalty or forfeiture for, or on account of, any transaction, matter, or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, except that such person so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

"(g) Any individual, after any final decision of the Board made after a hearing to which he was a party, irrespective of the amount in controversy, may obtain a review of such decision by a civil action commenced within sixty days after the mailing to him of notice of such decision or within such further time as the Board may allow. Such action shall be brought in the district court of the United States for the judicial district in which the plaintiff resides, or has his principal place of business, or, if he does not reside or have his principal place of business within any such judicial district, in the District Court of the United States for the District of Columbia. As part of its answer the Board shall file a certified copy of the transcript of the record including the evidence upon which the findings and decision complained of are based. The court shall have power to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Board, with or without remanding the cause for a rehearing. The findings of the Board as to any fact, if supported by substantial evidence, shall be conclusive, and where a claim has been denied by the Board or a decision is rendered under subsection (b) hereof which is adverse to an individual

who was a party to the hearing before the Board, because of failure of the claimant or such individual to submit proof in conformity with any regulation prescribed under subsection (a) hereof, the court shall review only the question of conformity with such regulations and the validity of such regulations. The court shall, on motion of the Board made before it files its answer, remand the case to the Board for further action by the Board, and may, at any time, on good cause shown, order additional evidence to be taken before the Board, and the Board shall, after the case is remanded, and after hearing such additional evidence if so ordered, modify or affirm its findings of fact or its decision, or both, and shall file with the court any such additional and modified findings of fact and decision, and a transcript of the additional record and testimony upon which its action in modifying or affirming was based. Such additional or modified findings of fact and decision shall be reviewable only to the extent provided for review of the original findings of fact and decision. The judgment of the court shall be final except that it shall be subject to review in the same manner as a judgment in other civil actions.

“(h) The findings and decision of the Board after a hearing shall be binding upon all individuals who were parties to such hearing. No findings of fact or decision of the Board shall be reviewed by any person, tribunal, or governmental agency except as herein provided. No action against the United States, the Board, or any officer or employee thereof shall be brought under section 24 of the Judicial Code of the United States to recover on any claim arising under this title.

“(i) Upon final decision of the Board, or upon final judgment of any court of competent jurisdiction, that any person is entitled to any payment or payments under this title, the Board shall certify to the Managing Trustee the name and address of the person so entitled to receive such payment or payments, the amount of such payment or payments, and the time at which such payment or payments should be made, and the Managing Trustee, through the Division of Disbursement of the Treasury Department, and prior to any action thereon by the General Accounting Office, shall make payment in accordance with the certification of the Board: *Provided*, That where a review of the Board's decision is or may be sought under subsection (g) the Board may withhold certification of payment pending such review. The Managing Trustee shall not be held personally liable for any payment or payments made in accordance with a certification by the Board.

“(j) When it appears to the Board that the interest of an applicant entitled to a payment would be served thereby, certification of payment may be made, regardless of the legal competency or incompetency of the individual entitled thereto, either for direct payment to such applicant, or for his use and benefit to a relative or some other person.

“(k) Any payment made after December 31, 1939, under conditions set forth in subsection (j), any payment made before January 1, 1940, to, or on behalf of, a legally incompetent individual, and any payment made after December 31, 1939, to a legally incompetent individual without knowledge by the Board of incompetency prior to certification of payment, if otherwise valid under this title, shall be a complete settlement and satisfaction of any claim, right, or interest in and to such payment.

“(l) The Board is authorized to delegate to any member, officer, or employee of the Board designated by it any of the powers conferred upon it by this section, and is authorized to be represented by its own attorneys in any court in any case or proceeding arising under the provisions of subsection (e).

Remanding of case to Board for further action, etc.

Modification of decision, etc.

Review.

Finality of court judgment.

Board's decision binding upon all parties.

Review.

Action prohibited.

28 U. S. C. § 41; Supp. IV, § 41.

Payment on certification of Board.

*Provided*. Withholding certification pending court review.

Personal liability of Managing Trustee.

Direct or indirect certification.

Payments considered complete satisfaction of claim, etc.

Delegation of powers by Board.

Representation by attorneys.

Applications deemed unacceptable.

"(m) No application for any benefit under this title filed prior to three months before the first month for which the applicant becomes entitled to receive such benefit shall be accepted as an application for the purposes of this title.

Certification for joint payment.

"(n) The Board may, in its discretion, certify to the Managing Trustee any two or more individuals of the same family for joint payment of the total benefits payable to such individuals.

#### "REPRESENTATION OF CLAIMANTS BEFORE THE BOARD

Rules and regulations.

"SEC. 206. The Board may prescribe rules and regulations governing the recognition of agents or other persons, other than attorneys as hereinafter provided, representing claimants before the Board, and may require of such agents or other persons, before being recognized as representatives of claimants that they shall show that they are of good character and in good repute, possessed of the necessary qualifications to enable them to render such claimants valuable service, and otherwise competent to advise and assist such claimants in the presentation of their cases. An attorney in good standing who is admitted to practice before the highest court of the State, Territory, District, or insular possession of his residence or before the Supreme Court of the United States or the inferior Federal courts, shall be entitled to represent claimants before the Board upon filing with the Board a certificate of his right to so practice from the presiding judge or clerk of any such court. The Board may, after due notice and opportunity for hearing, suspend or prohibit from further practice before it any such person, agent, or attorney who refuses to comply with the Board's rules and regulations or who violates any provision of this section for which a penalty is prescribed. The Board may, by rule and regulation, prescribe the maximum fees which may be charged for services performed in connection with any claim before the Board under this title, and any agreement in violation of such rules and regulations shall be void. Any person who shall, with intent to defraud, in any manner willfully and knowingly deceive, mislead, or threaten any claimant or prospective claimant or beneficiary under this title by word, circular, letter or advertisement, or who shall knowingly charge or collect directly or indirectly any fee in excess of the maximum fee, or make any agreement directly or indirectly to charge or collect any fee in excess of the maximum fee, prescribed by the Board shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall for each offense be punished by a fine not exceeding \$500 or by imprisonment not exceeding one year, or both.

Attorneys.

Certificate of right to practice.  
Suspension, etc., by Board.

Fees.

Unlawful acts.

Penalty.

#### "ASSIGNMENT

Right to payment not assignable; exemption from legal process.

"SEC. 207. The right of any person to any future payment under this title shall not be transferable or assignable, at law or in equity, and none of the moneys paid or payable or rights existing under this title shall be subject to execution, levy, attachment, garnishment, or other legal process, or to the operation of any bankruptcy or insolvency law.

#### "PENALTIES

False statements or representations.

"SEC. 208. Whoever, for the purpose of causing an increase in any payment authorized to be made under this title, or for the purpose of causing any payment to be made where no payment is authorized under this title, shall make or cause to be made any false statement or representation (including any false statement or representation in connection with any matter arising under the Federal Insurance Contributions Act) as to the amount of any wages paid or

received or the period during which earned or paid, or whoever makes or causes to be made any false statement of a material fact in any application for any payment under this title, or whoever makes or causes to be made any false statement, representation, affidavit, or document in connection with such an application, shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than \$1,000 or imprisoned for not more than one year, or both.

“DEFINITIONS

“SEC. 209. When used in this title—

“(a) The term ‘wages’ means all remuneration for employment, including the cash value of all remuneration paid in any medium other than cash; except that such term shall not include—

“Wages.”

Payments not included.

“(1) That part of the remuneration which, after remuneration equal to \$3,000 has been paid to an individual by an employer with respect to employment during any calendar year prior to 1940, is paid to such individual by such employer with respect to employment during such calendar year;

“(2) That part of the remuneration which, after remuneration equal to \$3,000 has been paid to an individual with respect to employment during any calendar year after 1939, is paid to such individual with respect to employment during such calendar year;

“(3) The amount of any payment made to, or on behalf of, an employee under a plan or system established by an employer which makes provision for his employees generally or for a class or classes of his employees (including any amount paid by an employer for insurance or annuities, or into a fund, to provide for any such payment), on account of (A) retirement, or (B) sickness or accident disability, or (C) medical and hospitalization expenses in connection with sickness or accident disability, or (D) death, provided the employee (i) has not the option to receive, instead of provision for such death benefit, any part of such payment or, if such death benefit is insured, any part of the premiums (or contributions to premiums) paid by his employer, and (ii) has not the right, under the provisions of the plan or system or policy of insurance providing for such death benefit, to assign such benefit, or to receive a cash consideration in lieu of such benefit either upon his withdrawal from the plan or system providing for such benefit or upon termination of such plan or system or policy of insurance or of his employment with such employer;

“(4) The payment by an employer (without deduction from the remuneration of the employee) (A) of the tax imposed upon an employee under section 1400 of the Internal Revenue Code or (B) of any payment required from an employee under a State unemployment compensation law;

Post, p. 1381.

“(5) Dismissal payments which the employer is not legally required to make; or

“(6) Any remuneration paid to an individual prior to January 1, 1937.

“(b) The term ‘employment’ means any service performed after December 31, 1936, and prior to January 1, 1940, which was employment as defined in section 210 (b) of the Social Security Act prior to January 1, 1940 (except service performed by an individual after he attained the age of sixty-five if performed prior to January 1, 1939), and any service, of whatever nature, performed after December 31, 1939, by an employee for the person employing him, irrespective of the citizenship or residence of either, (A) within the United States,

“Employment.”

49 Stat. 625.  
42 U. S. C., Supp.  
IV, §§ 410, 410a.

or (B) on or in connection with an American vessel under a contract of service which is entered into within the United States or during the performance of which the vessel touches at a port in the United States, if the employee is employed on and in connection with such vessel when outside the United States, except—

Exceptions.

Agricultural labor.

“(1) Agricultural labor (as defined in subsection (1) of this section);

Domestic service.

“(2) Domestic service in a private home, local college club, or local chapter of a college fraternity or sorority;

Casual labor.

“(3) Casual labor not in the course of the employer's trade or business;

Individual employed by son, daughter, etc.

“(4) Service performed by an individual in the employ of his son, daughter, or spouse, and service performed by a child under the age of twenty-one in the employ of his father or mother;

Vessels, not American vessels.

“(5) Service performed or in connection with a vessel not an American vessel by an employee, if the employee is employed on and in connection with such vessel when outside the United States;

United States Government employees, etc.

“(6) Service performed in the employ of the United States Government, or of an instrumentality of the United States which is (A) wholly owned by the United States, or (B) exempt from the tax imposed by section 1410 of the Internal Revenue Code by virtue of any other provision of law;

*Post*, p. 1383.

State, etc., employees.

“(7) Service performed in the employ of a State, or any political subdivision thereof, or any instrumentality of any one or more of the foregoing which is wholly owned by one or more States or political subdivisions; and any service performed in the employ of any instrumentality of one or more States or political subdivisions to the extent that the instrumentality is, with respect to such service, immune under the Constitution of the United States from the tax imposed by section 1410 of the Internal Revenue Code;

*Post*, p. 1383.

Charitable, etc., organizations.

“(8) Service performed in the employ of a corporation, community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation;

Employee or employee representative.

“(9) Service performed by an individual as an employee or employee representative as defined in section 1532 of the Internal Revenue Code;

*Ante*, p. 181.

Organizations exempt from income tax.

“(10) (A) Service performed in any calendar quarter in the employ of any organization exempt from income tax under section 101 of the Internal Revenue Code, if—

*Ante*, p. 33.

“(i) the remuneration for such service does not exceed \$45,

or

“(ii) such service is in connection with the collection of dues or premiums for a fraternal beneficiary society, order, or association, and is performed away from the home office, or is ritualistic service in connection with any such society, order, or association, or

“(iii) such service is performed by a student who is enrolled and is regularly attending classes at a school, college, or university;

Agricultural or horticultural organizations.

“(B) Service performed in the employ of an agricultural or horticultural organization exempt from income tax under section 101 (1) of the Internal Revenue Code;

*Ante*, p. 33.

"(C) Service performed in the employ of a voluntary employees' beneficiary association providing for the payment of life, sick, accident, or other benefits to the members of such association or their dependents, if (i) no part of its net earnings inures (other than through such payments) to the benefit of any private shareholder or individual, and (ii) 85 per centum or more of the income consists of amounts collected from members for the sole purpose of making such payments and meeting expenses;

Voluntary employees' beneficiary associations.

"(D) Service performed in the employ of a voluntary employees' beneficiary association providing for the payment of life, sick, accident, or other benefits to the members of such association or their dependents or their designated beneficiaries, if (i) admission to membership in such association is limited to to individuals who are officers or employees of the United States Government, and (ii) no part of the net earnings of such association inures (other than through such payments) to the benefit of any private shareholder or individual;

"(E) Service performed in any calendar quarter in the employ of a school, college, or university, not exempt from income tax under section 101 of the Internal Revenue Code, if such service is performed by a student who is enrolled and is regularly attending classes at such school, college, or university, and the remuneration for such service does not exceed \$45 (exclusive of room, board, and tuition);

Schools, colleges, etc.

*Ante*, p. 33.

"(11) Service performed in the employ of a foreign government (including service as a consular or other officer or employee or a nondiplomatic representative);

Foreign governments.

"(12) Service performed in the employ of an instrumentality wholly owned by a foreign government—

Instrumentalities wholly owned by foreign governments.

"(A) If the service is of a character similar to that performed in foreign countries by employees of the United States Government or of an instrumentality thereof; and

"(B) If the Secretary of State shall certify to the Secretary of the Treasury that the foreign government, with respect to whose instrumentality and employees thereof exemption is claimed, grants an equivalent exemption with respect to similar service performed in the foreign country by employees of the United States Government and of instrumentalities thereof;

"(13) Service performed as a student nurse in the employ of a hospital or a nurses' training school by an individual who is enrolled and is regularly attending classes in a nurses' training school chartered or approved pursuant to State law; and service performed as an interne in the employ of a hospital by an individual who has completed a four years' course in a medical school chartered or approved pursuant to State law;

Student nurses; internes.

"(14) Service performed by an individual in (or as an officer or member of the crew of a vessel while it is engaged in) the catching, taking, harvesting, cultivating, or farming of any kind of fish, shellfish, crustacea, sponges, seaweeds, or other aquatic forms of animal and vegetable life (including service performed by any such individual as an ordinary incident to any such activity), except (A) service performed in connection with the catching or taking of salmon or halibut, for commercial purposes, and (B) service performed on or in connection with a vessel of more than ten net tons (determined in the manner provided for determining the register tonnage of merchant vessels under the laws of the United States); or

Taking of aquatic animals, etc.

Exceptions.



Individuals under age of 18 delivering newspapers, etc.

If part of services constitutes employment.

"Pay period."

Employee or employee representative.

"American vessel."

"Primary insurance benefit."

"Average monthly wage."

"Fully insured individual."

"Quarter"; "calendar quarter."

"(15) Service performed by an individual under the age of eighteen in the delivery or distribution of newspapers or shopping news, not including delivery or distribution to any point for subsequent delivery or distribution.

"(c) If the services performed during one-half or more of any pay period by an employee for the person employing him constitute employment, all the services of such employee for such period shall be deemed to be employment; but if the services performed during more than one-half of any such pay period by an employee for the person employing him do not constitute employment, then none of the services of such employee for such period shall be deemed to be employment. As used in this subsection the term 'pay period' means a period (of not more than thirty-one consecutive days) for which a payment of remuneration is ordinarily made to the employee by the person employing him. This subsection shall not be applicable with respect to services performed in a pay period by an employee for the person employing him, where any of such service is excepted by paragraph (9) of subsection (b).

"(d) The term 'American vessel' means any vessel documented or numbered under the laws of the United States; and includes any vessel which is neither documented or numbered under the laws of the United States nor documented under the laws of any foreign country, if its crew is employed solely by one or more citizens or residents of the United States or corporations organized under the laws of the United States or of any State.

"(e) The term 'primary insurance benefit' means an amount equal to the sum of the following—

"(1) (A) 40 per centum of the amount of an individual's average monthly wage if such average monthly wage does not exceed \$50, or (B) if such average monthly wage exceeds \$50, 40 per centum of \$50, plus 10 per centum of the amount by which such average monthly wage exceeds \$50 and does not exceed \$250, and

"(2) an amount equal to 1 per centum of the amount computed under paragraph (1) multiplied by the number of years in which \$200 or more of wages were paid to such individual. Where the primary insurance benefit thus computed is less than \$10, such benefit shall be \$10.

"(f) The term 'average monthly wage' means the quotient obtained by dividing the total wages paid an individual before the quarter in which he died or became entitled to receive primary insurance benefits, whichever first occurred, by three times the number of quarters elapsing after 1936 and before such quarter in which he died or became so entitled, excluding any quarter prior to the quarter in which he attained the age of twenty-two during which he was paid less than \$50 of wages and any quarter, after the quarter in which he attained age sixty-five, occurring prior to 1939.

"(g) The term 'fully insured individual' means any individual with respect to whom it appears to the satisfaction of the Board that—

"(1) He had not less than one quarter of coverage for each two of the quarters elapsing after 1936, or after the quarter in which he attained the age of twenty-one, whichever quarter is later, and up to but excluding the quarter in which he attained the age of sixty-five, or died, whichever first occurred, and in no case less than six quarters of coverage; or

"(2) He had at least forty quarters of coverage.

"As used in this subsection, and in subsection (h) of this section, the term 'quarter' and the term 'calendar quarter' mean a period of three calendar months ending on March 31, June 30, September 30,

or December 31; and the term 'quarter of coverage' means a calendar quarter in which the individual has been paid not less than \$50 in wages. When the number of quarters specified in paragraph (1) of this subsection is an odd number, for purposes of such paragraph such number shall be reduced by one. In any case where an individual has been paid in a calendar year \$3,000 or more in wages, each quarter of such year following his first quarter of coverage shall be deemed a quarter of coverage, excepting any quarter in such year in which such individual dies or becomes entitled to a primary insurance benefit and any quarter succeeding such quarter in which he died or became so entitled.

"Quarter of coverage."

"(h) The term 'currently insured individual' means any individual with respect to whom it appears to the satisfaction of the Board that he has been paid wages of not less than \$50 for each of not less than six of the twelve calendar quarters, immediately preceding the quarter in which he died.

"Currently insured individual."

"(i) The term 'wife' means the wife of an individual who either (1) is the mother of such individual's son or daughter, or (2) was married to him prior to January 1, 1939, or if later, prior to the date upon which he attained the age of sixty.

"Wife."

"(j) The term 'widow' (except when used in section 202 (g)) means the surviving wife of an individual who either (1) is the mother of such individual's son or daughter, or (2) was married to him prior to the beginning of the twelfth month before the month in which he died.

"Widow."

"(k) The term 'child' (except when used in section 202 (g)) means the child of an individual, and the stepchild of an individual by a marriage contracted prior to the date upon which he attained the age of sixty and prior to the beginning of the twelfth month before the month in which he died, and a child legally adopted by an individual prior to the date upon which he attained the age of sixty and prior to the beginning of the twelfth month before the month in which he died.

"Child."

"(l) The term 'agricultural labor' includes all service performed—

"Agricultural labor."

"(1) On a farm, in the employ of any person, in connection with cultivating the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and fur-bearing animals and wildlife.

"(2) In the employ of the owner or tenant or other operator of a farm, in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment, or in salvaging timber or clearing land of brush and other debris left by a hurricane, if the major part of such service is performed on a farm.

"(3) In connection with the production or harvesting of maple sirup or maple sugar or any commodity defined as an agricultural commodity in section 15 (g) of the Agricultural Marketing Act, as amended, or in connection with the raising or harvesting of mushrooms, or in connection with the hatching of poultry, or in connection with the ginning of cotton, or in connection with the operation or maintenance of ditches, canals, reservoirs, or waterways used exclusively for supplying and storing water for farming purposes.

46 Stat. 1550.  
12 U.S.C. § 1141j(g).

"(4) In handling, planting, drying, packing, packaging, processing, freezing, grading, storing, or delivering to storage or to market or to a carrier for transportation to market, any agricultural or horticultural commodity; but only if such service is performed as an incident to ordinary farming operations or, in the case of fruits and vegetables, as an incident to the preparation of such fruits or vegetables for

market. The provisions of this paragraph shall not be deemed to be applicable with respect to service performed in connection with commercial canning or commercial freezing or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption.

"Farm."

"As used in this subsection, the term 'farm' includes stock, dairy, poultry, fruit, fur-bearing animal, and truck farms, plantations, ranches, nurseries, ranges, greenhouses or other similar structures used primarily for the raising of agricultural or horticultural commodities, and orchards.

Wife, etc., of insured individual, determination.

"(m) In determining whether an applicant is the wife, widow, child, or parent of a fully insured or currently insured individual for purposes of this title, the Board shall apply such law as would be applied in determining the devolution of intestate personal property by the courts of the State in which such insured individual is domiciled at the time such applicant files application, or, if such insured individual is dead, by the courts of the State in which he was domiciled at the time of his death, or if such insured individual is or was not so domiciled in any State, by the courts of the District of Columbia. Applicants who according to such law would have the same status relative to taking intestate personal property as a wife, widow, child, or parent shall be deemed such.

Wife living with husband.

"(n) A wife shall be deemed to be living with her husband if they are both members of the same household, or she is receiving regular contributions from him toward her support, or he has been ordered by any court to contribute to her support; and a widow shall be deemed to have been living with her husband at the time of his death if they were both members of the same household on the date of his death, or she was receiving regular contributions from him toward her support on such date, or he had been ordered by any court to contribute to her support."

Widow living with husband at time of death, etc.

### TITLE III—AMENDMENTS TO TITLE III OF THE SOCIAL SECURITY ACT

Unemployment compensation administration.

Payments to States.  
49 Stat. 626.  
42 U. S. C., Supp. IV, § 502.  
Certification of amount determined by Board.

Post, p. 1396.

Bases of Board's determination.

Restriction on total amount.

Provisions of State laws.

49 Stat. 626.  
42 U. S. C., Supp. IV, § 503.  
Requirements.  
Post, p. 1396.

Required methods of administration.

SEC. 301. Section 302 (a) of such Act is amended to read as follows:

"(a) The Board shall from time to time certify to the Secretary of the Treasury for payment to each State which has an unemployment compensation law approved by the Board under the Federal Unemployment Tax Act, such amounts as the Board determines to be necessary for the proper and efficient administration of such law during the fiscal year for which such payment is to be made. The Board's determination shall be based on (1) the population of the State; (2) an estimate of the number of persons covered by the State law and of the cost of proper and efficient administration of such law; and (3) such other factors as the Board finds relevant. The Board shall not certify for payment under this section in any fiscal year a total amount in excess of the amount appropriated therefor for such fiscal year."

SEC. 302. Section 303 (a) of such Act is amended to read as follows:

"(a) The Board shall make no certification for payment to any State unless it finds that the law of such State, approved by the Board under the Federal Unemployment Tax Act, includes provision for—

"(1) Such methods of administration (including after January 1, 1940, methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Board shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with

such methods) as are found by the Board to be reasonably calculated to insure full payment of unemployment compensation when due; and

“(2) Payment of unemployment compensation solely through public employment offices or such other agencies as the Board may approve; and

“(3) Opportunity for a fair hearing, before an impartial tribunal, for all individuals whose claims for unemployment compensation are denied; and

“(4) The payment of all money received in the unemployment fund of such State (except for refunds of sums erroneously paid into such fund and except for refunds paid in accordance with the provisions of section 1606 (b) of the Federal Unemployment Tax Act), immediately upon such receipt, to the Secretary of the Treasury to the credit of the unemployment trust fund established by section 904; and

“(5) Expenditure of all money withdrawn from an unemployment fund of such State, in the payment of unemployment compensation, exclusive of expenses of administration, and for refunds of sums erroneously paid into such fund and refunds paid in accordance with the provisions of section 1606 (b) of the Federal Unemployment Tax Act; and

“(6) The making of such reports, in such form and containing such information, as the Board may from time to time require, and compliance with such provisions as the Board may from time to time find necessary to assure the correctness and verification of such reports; and

“(7) Making available upon request to any agency of the United States charged with the administration of public works or assistance through public employment, the name, address, ordinary occupation and employment status of each recipient of unemployment compensation, and a statement of such recipient's rights to further compensation under such law; and

“(8) Effective July 1, 1941, the expenditure of all moneys received pursuant to section 302 of this title solely for the purposes and in the amounts found necessary by the Board for the proper and efficient administration of such State law; and

“(9) Effective July 1, 1941, the replacement, within a reasonable time, of any moneys received pursuant to section 302 of this title, which, because of any action or contingency, have been lost or have been expended for purposes other than, or in amounts in excess of, those found necessary by the Board for the proper administration of such State law.”

Payment of compensation through approved agencies.

Hearing when compensation claim denied.

Payment to credit of unemployment trust fund.

*Post*, p. 1392.

49 Stat. 640.  
42 U. S. C., Supp. IV, § 1104.

Expenditure of money withdrawn from State unemployment fund.

*Post*, p. 1392.

Reports.

Information respecting recipients.

Expenditure of moneys for proper administration of State law.

Replacement of lost or unnecessarily expended funds.

#### TITLE IV—AMENDMENTS TO TITLE IV OF THE SOCIAL SECURITY ACT

SEC. 401. (a) Clause (5) of section 402 (a) of such Act is amended to read as follows: “(5) provide such methods of administration (including after January 1, 1940, methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Board shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods) as are found by the Board to be necessary for the proper and efficient operation of the plan.”

(b) Effective July 1, 1941, section 402 (a) of such Act is further amended by inserting before the period at the end thereof a semicolon and the following new clauses: “(7) provide that the State agency shall, in determining need, take into consideration any other income and resources of any child claiming aid to dependent children; and

Aid to dependent children.

State plans, requirements.

49 Stat. 627.  
42 U. S. C., Supp. IV, § 602.

Required methods of administration.

Other income, etc., of child claiming aid.

Restriction on use,  
etc., of information.

Payment to States.  
49 Stat. 628.  
42 U. S. C., Supp.  
IV, § 603.  
Amount; basis of  
estimates.

Certification by  
Board of amount of  
estimates; reductions  
or increases.

49 Stat. 629.  
42 U. S. C., Supp.  
IV, § 606.  
"Dependent child"  
defined.

Maternal and child  
health services.  
49 Stat. 629.  
42 U. S. C., Supp.  
IV, § 701.  
Authorized appro-  
priations increased.  
Allotments to States,  
alteration.

Approval of State  
plans.  
Required methods  
of administration.

Services for crip-  
pled children.  
Authorized appro-  
priations increased.  
49 Stat. 631.  
42 U. S. C., Supp.  
IV, § 711.  
Allotments to  
States, alteration.

Additional allot-  
ments.

(8) provide safeguards which restrict the use or disclosure of information concerning applicants and recipients to purposes directly connected with the administration of aid to dependent children".

SEC. 402. (a) Effective January 1, 1940, subsection (a) of section 403 of such Act is amended by striking out "one-third" and inserting in lieu thereof "one-half", and paragraph (1) of subsection (b) of such section is amended by striking out "two-thirds" and inserting in lieu thereof "one-half".

(b) Effective January 1, 1940, paragraph (2) of section 403 (b) of such Act is amended to read as follows:

"(2) The Board shall then certify to the Secretary of the Treasury the amount so estimated by the Board, (A) reduced or increased, as the case may be, by any sum by which it finds that its estimate for any prior quarter was greater or less than the amount which should have been paid to the State for such quarter, and (B) reduced by a sum equivalent to the pro rata share to which the United States is equitably entitled, as determined by the Board, of the net amount recovered during any prior quarter by the State or any political subdivision thereof with respect to aid to dependent children furnished under the State plan; except that such increases or reductions shall not be made to the extent that such sums have been applied to make the amount certified for any prior quarter greater or less than the amount estimated by the Board for such prior quarter."

SEC. 403. Section 406 (a) of such Act is amended to read as follows:

"(a) The term 'dependent child' means a needy child under the age of sixteen, or under the age of eighteen if found by the State agency to be regularly attending school, who has been deprived of parental support or care by reason of the death, continued absence from the home, or physical or mental incapacity of a parent, and who is living with his father, mother, grandfather, grandmother, brother, sister, stepfather, stepmother, stepbrother, stepsister, uncle, or aunt, in a place of residence maintained by one or more of such relatives as his or their own home;"

#### TITLE V—AMENDMENTS TO TITLES V AND VI OF THE SOCIAL SECURITY ACT

SEC. 501. Section 501 of such Act is amended by striking out "\$3,800,000" and inserting in lieu thereof "\$5,820,000".

SEC. 502. (a) Subsection (a) of section 502 of such Act is amended by striking out "\$1,800,000" and inserting in lieu thereof "\$2,800,000".

(b) Subsection (b) of such section 502 is amended by striking out "\$980,000" and inserting in lieu thereof "\$1,980,000".

SEC. 503. Clause (3) of section 503 (a) of such Act is amended to read as follows: "(3) provide such methods of administration (including after January 1, 1940, methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Board shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods) as are necessary for the proper and efficient operation of the plan."

SEC. 504. Section 511 of such Act is amended by striking out "\$2,850,000" and inserting in lieu thereof "\$3,870,000".

SEC. 505. (a) Subsection (a) of section 512 of such Act is amended by striking out the words "the remainder" and inserting in lieu thereof "\$1,830,000".

(b) Such section is further amended by inserting after subsection (a) the following new subsection:

"(b) Out of the sums appropriated pursuant to section 511 for each fiscal year the Secretary of Labor shall allot to the States \$1,000,000

(in addition to the allotments made under subsection (a)), according to the financial need of each State for assistance in carrying out its State plan, as determined by him after taking into consideration the number of crippled children in such State in need of the services referred to in section 511 and the cost of furnishing such services to them."

(c) Subsection (b) of such section 512 is amended by striking out the letter "(b)" at the beginning thereof and inserting in lieu thereof the letter "(c)".

SEC. 506. Clause (3) of section 513 (a) of such Act is amended to read as follows: "(3) provide such methods of administration (including after January 1, 1940, methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Board shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods) as are necessary for the proper and efficient operation of the plan."

SEC. 507. (a) Subsection (a) of section 514 of such Act is amended by striking out "section 512" and inserting in lieu thereof "section 512 (a)".

(b) Such section 514 is further amended by inserting at the end thereof the following new subsection:

"(c) The Secretary of Labor shall from time to time certify to the Secretary of the Treasury the amounts to be paid to the States from the allotment available under section 512 (b), and the Secretary of the Treasury shall, through the Division of Disbursement of the Treasury Department, and prior to audit or settlement by the General Accounting Office, make payments of such amounts from such allotments at the time or times specified by the Secretary of Labor."

(c) Section 521 (a) of such Act is amended by striking out "\$1,500,000" and inserting in lieu thereof "\$1,510,000".

SEC. 508. (a) Section 531 (a) of such Act is amended by—

(1) Striking out "\$1,938,000" and inserting in lieu thereof "\$3,500,000".

(2) Striking out "\$5,000" and inserting in lieu thereof "\$15,000".

(3) Inserting before the period at the end thereof a colon and the following: "Provided, That the amount of such sums apportioned to any State for any fiscal year shall be not less than \$20,000".

(b) Section 531 (b) of such Act is amended by striking out "\$102,000" and inserting in lieu thereof "\$150,000".

SEC. 509. Section 601 of such Act is hereby amended to read as follows:

"SEC. 601. For the purpose of assisting States, counties, health districts, and other political subdivisions of the States in establishing and maintaining adequate public health services, including the training of personnel for State and local health work, there is hereby authorized to be appropriated for each fiscal year, beginning with the fiscal year ending June 30, 1940, the sum of \$11,000,000 to be used as hereinafter provided."

## TITLE VI—AMENDMENTS TO THE INTERNAL REVENUE CODE

SEC. 601. Section 1400 of the Internal Revenue Code is amended to read as follows:

### "SEC. 1400. RATE OF TAX.

"In addition to other taxes, there shall be levied, collected, and paid upon the income of every individual a tax equal to the following percentages of the wages (as defined in section 1426 (a)) received

Amount of allotment remaining unpaid, availability.

Approval of State plans.  
Required methods of administration.  
49 Stat. 632.  
42 U. S. C., Supp. IV, § 713(a).

Payment to States.  
Amount to be paid quarterly.  
49 Stat. 632.  
42 U. S. C., Supp. IV, § 714(a).

Certification of amounts; making of payments.  
*Ante*, p. 1380.

Child-welfare services.  
49 Stat. 633.  
42 U. S. C., Supp. IV, § 721.  
Vocational rehabilitation.  
49 Stat. 633.  
29 U. S. C., Supp. IV, § 45b.

*Proviso.*  
Minimum apportionment.  
Appropriation authorized for administration.

Public health work.  
49 Stat. 634.  
42 U. S. C., Supp. IV, § 601.  
Annual appropriation authorized.  
*Ante*, p. 1304.

Employment by others than carriers.  
*Ante*, p. 175; *post*, p. 1420.  
I. R. C. § 1400.

Tax on wages of employee; rate.  
*Post*, p. 1383.

*Post*, p. 1384.

by him after December 31, 1936, with respect to employment (as defined in section 1426 (b)) after such date:

"(1) With respect to wages received during the calendar years 1939, 1940, 1941, and 1942, the rate shall be 1 per centum.

"(2) With respect to wages received during the calendar years 1943, 1944, and 1945, the rate shall be 2 per centum.

"(3) With respect to wages received during the calendar years 1946, 1947, and 1948, the rate shall be 2½ per centum.

"(4) With respect to wages received after December 31, 1948, the rate shall be 3 per centum."

Deduction of tax  
from wages.  
*Ante*, p. 175.  
I. R. C. § 1401 (c).  
Adjustments.

SEC. 602. (a) Section 1401 (c) of the Internal Revenue Code is amended to read as follows:

"(c) **ADJUSTMENTS.**—If more or less than the correct amount of tax imposed by section 1400 is paid with respect to any payment of remuneration, proper adjustments, with respect both to the tax and the amount to be deducted, shall be made, without interest, in such manner and at such times as may be prescribed by regulations made under this subchapter."

(b) Such section 1401 is further amended by adding at the end thereof the following new subsection:

Special refund.

"(d) **SPECIAL REFUND.**—If by reason of an employee rendering service for more than one employer during any calendar year after the calendar year 1939, the wages of the employee with respect to employment during such year exceed \$3,000, the employee shall be entitled to a refund of any amount of tax, with respect to such wages, imposed by section 1400, deducted from such wages and paid to the collector, which exceeds the tax with respect to the first \$3,000 of such wages paid. Refund under this section may be made in accordance with the provisions of law applicable in the case of erroneous or illegal collection of the tax; except that no such refund shall be made unless (1) the employee makes a claim, establishing his right thereto, after the calendar year in which the employment was performed with respect to which refund of tax is claimed, and (2) such claim is made within two years after the calendar year in which the wages are paid with respect to which refund of tax is claimed. No interest shall be allowed or paid with respect to any such refund."

*Ante*, p. 175.  
I. R. C. §§ 1400-  
1402.

SEC. 603. Part I of subchapter A of chapter 9 of the Internal Revenue Code is amended by adding at the end thereof the following new section:

**"SEC. 1403. RECEIPTS FOR EMPLOYEES.**

Requirement.

"(a) **REQUIREMENT.**—Every employer shall furnish to each of his employees a written statement or statements, in a form suitable for retention by the employee, showing the wages paid by him to the employee after December 31, 1939. Each statement shall cover a calendar year, or one, two, three, or four calendar quarters, whether or not within the same calendar year, and shall show the name of the employer, the name of the employee, the period covered by the statement, the total amount of wages paid within such period, and the amount of the tax imposed by section 1400 with respect to such wages. Each statement shall be furnished to the employee not later than the last day of the second calendar month following the period covered by the statement, except that, if the employee leaves the employ of the employer, the final statement shall be furnished on the day on which the last payment of wages is made to the employee. The employer may, at his option, furnish such a statement to any employee at the time of each payment of wages to the employee during any calendar quarter, in lieu of a statement covering such quarter; and, in such case, the statement may show the date of payment of the wages, in lieu of the period covered by the statement.

“(b) **PENALTY FOR FAILURE TO FURNISH.**—Any employer who willfully fails to furnish a statement to an employee in the manner, at the time, and showing the information, required under subsection (a), shall for each such failure be subject to a civil penalty of not more than \$5.”

Penalty for failure to furnish.

SEC. 604. Section 1410 of the Internal Revenue Code is amended to read as follows:

Tax on employers.  
*Ante*, p. 175.  
I. R. C. § 1410.

**“SEC. 1410. RATE OF TAX.**

“In addition to other taxes, every employer shall pay an excise tax, with respect to having individuals in his employ, equal to the following percentages of the wages (as defined in section 1426 (a)) paid by him after December 31, 1936, with respect to employment (as defined in section 1426 (b)) after such date:

Rate of tax.

“(1) With respect to wages paid during the calendar years 1939, 1940, 1941, and 1942, the rate shall be 1 per centum.

“(2) With respect to wages paid during the calendar years 1943, 1944, and 1945, the rate shall be 2 per centum.

“(3) With respect to wages paid during the calendar years 1946, 1947, and 1948, the rate shall be 2½ per centum.

“(4) With respect to wages paid after December 31, 1948, the rate shall be 3 per centum.”

SEC. 605. Section 1411 of the Internal Revenue Code is amended to read as follows:

*Ante*, p. 176.  
I. R. C. § 1411.

**“SEC. 1411. ADJUSTMENT OF TAX.**

“If more or less than the correct amount of tax imposed by section 1410 is paid with respect to any payment of remuneration, proper adjustments with respect to the tax shall be made, without interest, in such manner and at such times as may be prescribed by regulations made under this subchapter.”

Adjustment of tax.

SEC. 606. Effective January 1, 1940, section 1426 of the Internal Revenue Code is amended to read as follows:

*Ante*, p. 177.  
I. R. C. § 1426.

**“SEC. 1426. DEFINITIONS.**

“When used in this subchapter—

“(a) **WAGES.**—The term ‘wages’ means all remuneration for employment, including the cash value of all remuneration paid in any medium other than cash; except that such term shall not include—

Definitions.  
“Wages.”

“(1) That part of the remuneration which, after remuneration equal to \$3,000 has been paid to an individual by an employer with respect to employment during any calendar year, is paid to such individual by such employer with respect to employment during such calendar year;

“(2) The amount of any payment made to, or on behalf of, an employee under a plan or system established by an employer which makes provision for his employees generally or for a class or classes of his employees (including any amount paid by an employer for insurance or annuities, or into a fund, to provide for any such payment), on account of (A) retirement, or (B) sickness or accident disability, or (C) medical and hospitalization expenses in connection with sickness or accident disability, or (D) death, provided the employee (i) has not the option to receive, instead of provision for such death benefit, any part of such payment or, if such death benefit is insured, any part of the premiums (or contributions to premiums) paid by his employer, and (ii) has not the right, under the provisions of the plan or system or policy of insurance providing for such death benefit, to assign such benefit, or to receive a cash consideration in lieu of such benefit either upon his withdrawal from the plan or system providing for such benefit or upon termination of such plan or



system or policy of insurance or of his employment with such employer;

*Ante*, p. 1381.

"(3) The payment by an employer (without deduction from the remuneration of the employee) (A) of the tax imposed upon an employee under section 1400 or (B) of any payment required from an employee under a State unemployment compensation law; or

"(4) Dismissal payments which the employer is not legally required to make.

"Employment."

"(b) **EMPLOYMENT.**—The term 'employment' means any service performed prior to January 1, 1940, which was employment as defined in this section prior to such date, and any service, of whatever nature, performed after December 31, 1939, by an employee for the person employing him, irrespective of the citizenship or residence of either, (A) within the United States, or (B) on or in connection with an American vessel under a contract of service which is entered into within the United States or during the performance of which the vessel touches at a port in the United States, if the employee is employed on and in connection with such vessel when outside the United States, except—

Exceptions.  
Agricultural labor.

"(1) Agricultural labor (as defined in subsection (h) of this section);

Domestic service.

"(2) Domestic service in a private home, local college club, or local chapter of a college fraternity or sorority;

Casual labor.

"(3) Casual labor not in the course of the employer's trade or business;

Individual in employ of son, daughter, etc.

"(4) Service performed by an individual in the employ of his son, daughter, or spouse, and service performed by a child under the age of twenty-one in the employ of his father or mother;

Vessels not American vessels.

"(5) Service performed on or in connection with a vessel not an American vessel by an employee, if the employee is employed on and in connection with such vessel when outside the United States;

United States Government, etc., employees.

"(6) Service performed in the employ of the United States Government, or of an instrumentality of the United States which is (A) wholly owned by the United States, or (B) exempt from the tax imposed by section 1410 by virtue of any other provision of law;

*Ante*, p. 1383.

State, etc., employees.

"(7) Service performed in the employ of a State, or any political subdivision thereof, or any instrumentality of any one or more of the foregoing which is wholly owned by one or more States or political subdivisions; and any service performed in the employ of any instrumentality of one or more States or political subdivisions to the extent that the instrumentality is, with respect to such service, immune under the Constitution of the United States from the tax imposed by section 1410;

*Ante*, p. 1383.

Religious, etc., corporations.

"(8) Service performed in the employ of a corporation, community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation;

Employee or employee representative.

"(9) Service performed by an individual as an employee or employee representative as defined in section 1532;

*Ante*, p. 181.  
I. R. C. § 1532.  
Certain corporations exempt from income tax; conditions.

"(10) (A) Service performed in any calendar quarter in the employ of any organization exempt from income tax under section 101, if—

*Ante*, p. 33.  
I. R. C. § 101.

"(i) the remuneration for such service does not exceed \$45, or

"(ii) such service is in connection with the collection of dues or premiums for a fraternal beneficiary society, order, or associa-

tion, and is performed away from the home office, or is ritualistic service in connection with any such society, order, or association, or

“(iii) such service is performed by a student who is enrolled and is regularly attending classes at a school, college, or university;

“(B) Service performed in the employ of an agricultural or horticultural organization exempt from income tax under section 101 (1);

“(C) Service performed in the employ of a voluntary employees' beneficiary association providing for the payment of life, sick, accident, or other benefits to the members of such association or their dependents, if (i) no part of its net earnings inures (other than through such payments) to the benefit of any private shareholder or individual, and (ii) 85 per centum or more of the income consists of amounts collected from members for the sole purpose of making such payments and meeting expenses;

“(D) Service performed in the employ of a voluntary employees' beneficiary association providing for the payment of life, sick, accident, or other benefits to the members of such association or their dependents or their designated beneficiaries, if (i) admission to membership in such association is limited to individuals who are officers or employees of the United States Government, and (ii) no part of the net earnings of such association inures (other than through such payments) to the benefit of any private shareholder or individual;

“(E) Service performed in any calendar quarter in the employ of a school, college, or university, not exempt from income tax under section 101, if such service is performed by a student who is enrolled and is regularly attending classes at such school, college, or university, and the remuneration for such service does not exceed \$45 (exclusive of room, board, and tuition);

“(11) Service performed in the employ of a foreign government (including service as a consular or other officer or employee or a nondiplomatic representative);

“(12) Service performed in the employ of an instrumentality wholly owned by a foreign government—

“(A) If the service is of a character similar to that performed in foreign countries by employees of the United States Government or of an instrumentality thereof; and

“(B) If the Secretary of State shall certify to the Secretary of the Treasury that the foreign government, with respect to whose instrumentality and employees thereof exemption is claimed, grants an equivalent exemption with respect to similar service performed in the foreign country by employees of the United States Government and of instrumentalities thereof;

“(13) Service performed as a student nurse in the employ of a hospital or a nurses' training school by an individual who is enrolled and is regularly attending classes in a nurses' training school chartered or approved pursuant to State law; and service performed as an interne in the employ of a hospital by an individual who has completed a four years' course in a medical school chartered or approved pursuant to State law;

“(14) Service performed by an individual in (or as an officer or member of the crew of a vessel while it is engaged in) the catching, taking, harvesting, cultivating, or farming of any kind of fish, shellfish, crustacea, sponges, seaweeds, or other aquatic forms of animal and vegetable life (including service performed by any such individual as an ordinary incident to any such activity), except (A) service performed in connection with the

Agricultural, etc., organizations.  
*Ante*, p. 33.  
I. R. C. § 101.  
Voluntary employees' beneficiary associations.

Schools, colleges, etc.

*Ante*, p. 33.  
I. R. C. § 101.

Foreign government employees.

Instrumentalities wholly owned by foreign governments.

Student nurses; internes.

Taking of aquatic animals, etc.

Exceptions.

catching or taking of salmon or halibut, for commercial purposes, and (B) service performed on or in connection with a vessel of more than ten net tons (determined in the manner provided for determining the register tonnage of merchant vessels under the laws of the United States); or

Individuals under age of 18 delivering newspapers, etc.

“(15) Service performed by an individual under the age of eighteen in the delivery or distribution of newspapers or shopping news, not including delivery or distribution to any point for subsequent delivery or distribution.

Included and excluded service.

“(c) **INCLUDED AND EXCLUDED SERVICE.**—If the services performed during one-half or more of any pay period by an employee for the person employing him constitute employment, all the services of such employee for such period shall be deemed to be employment; but if the services performed during more than one-half of any such pay period by an employee for the person employing him do not constitute employment, then none of the services of such employee for such period shall be deemed to be employment. As used in this subsection the term ‘pay period’ means a period (of not more than thirty-one consecutive days) for which a payment of remuneration is ordinarily made to the employee by the person employing him. This subsection shall not be applicable with respect to services performed in a pay period by an employee for the person employing him, where any of such service is excepted by paragraph (9) of subsection (b).

“Employee.”

“(d) **EMPLOYEE.**—The term ‘employee’ includes an officer of a corporation.

“State.”

“(e) **STATE.**—The term ‘State’ includes Alaska, Hawaii, and the District of Columbia.

“Person.”

“(f) **PERSON.**—The term ‘person’ means an individual, a trust or estate, a partnership, or a corporation.

“American vessel.”

“(g) **AMERICAN VESSEL.**—The term ‘American vessel’ means any vessel documented or numbered under the laws of the United States; and includes any vessel which is neither documented or numbered under the laws of the United States nor documented under the laws of any foreign country, if its crew is employed solely by one or more citizens or residents of the United States or corporations organized under the laws of the United States or of any State.

“Agricultural labor.”

“(h) **AGRICULTURAL LABOR.**—The term ‘agricultural labor’ includes all services performed—

“(1) On a farm, in the employ of any person, in connection with cultivating the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and fur-bearing animals and wildlife.

“(2) In the employ of the owner or tenant or other operator of a farm, in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment, or in salvaging timber or clearing land of brush and other debris left by a hurricane, if the major part of such service is performed on a farm.

“(3) In connection with the production or harvesting of maple sirup or maple sugar or any commodity defined as an agricultural commodity in section 15 (g) of the Agricultural Marketing Act, as amended, or in connection with the raising or harvesting of mushrooms, or in connection with the hatching of poultry, or in connection with the ginning of cotton, or in connection with the operation or maintenance of ditches, canals, reservoirs, or waterways used exclusively for supplying and storing water for farming purposes.

"(4) In handling, planting, drying, packing, packaging, processing, freezing, grading, storing, or delivering to storage or to market or to a carrier for transportation to market, any agricultural or horticultural commodity; but only if such service is performed as an incident to ordinary farming operations or, in the case of fruits and vegetables, as an incident to the preparation of such fruits or vegetables for market. The provisions of this paragraph shall not be deemed to be applicable with respect to service performed in connection with commercial canning or commercial freezing or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption.

"As used in this subsection, the term 'farm' includes stock, dairy, poultry, fruit, fur-bearing animal, and truck farms, plantations, ranches, nurseries, ranges, greenhouses or other similar structures used primarily for the raising of agricultural or horticultural commodities, and orchards."

SEC. 607. Subchapter A of chapter 9 of the Internal Revenue Code is amended by adding at the end thereof the following new section:

"SEC. 1432. This subchapter may be cited as the 'Federal Insurance Contributions Act.'"

SEC. 608. Section 1600 of the Internal Revenue Code is amended to read as follows:

**"SEC. 1600. RATE OF TAX.**

"Every employer (as defined in section 1607 (a)) shall pay for the calendar year 1939 and for each calendar year thereafter an excise tax, with respect to having individuals in his employ, equal to 3 per centum of the total wages (as defined in section 1607 (b)) paid by him during the calendar year with respect to employment (as defined in section 1607 (c)) after December 31, 1938."

SEC. 609. Section 1601 of the Internal Revenue Code is amended to read as follows:

**"SEC. 1601. CREDITS AGAINST TAX.**

"(a) CONTRIBUTIONS TO STATE UNEMPLOYMENT FUNDS.—

"(1) The taxpayer may, to the extent provided in this subsection and subsection (c), credit against the tax imposed by section 1600 the amount of contributions paid by him into an unemployment fund maintained during the taxable year under the unemployment compensation law of a State which is certified for the taxable year as provided in section 1603.

"(2) The credit shall be permitted against the tax for the taxable year only for the amount of contributions paid with respect to such taxable year.

"(3) The credit against the tax for any taxable year shall be permitted only for contributions paid on or before the last day upon which the taxpayer is required under section 1604 to file a return for such year; except that credit shall be permitted for contributions paid after such last day but before July 1 next following such last day, but such credit shall not exceed 90 per centum of the amount which would have been allowable as credit on account of such contributions had they been paid on or before such last day. The preceding provisions of this subdivision shall not apply to the credit against the tax of a taxpayer for any taxable year if such taxpayer's assets, at any time during the period from such last day for filing a return for such year to June 30 next following such last day, both dates inclusive, are in the custody or control of a receiver, trustee, or other fiduciary appointed by, or under the control of, a court of competent jurisdiction.

"Farm."

*Ante*, p. 175.

"Federal Insurance Contributions Act."

*Ante*, p. 183; *post*, p. 1420.  
I. R. C. § 1600.  
Tax on employers of eight or more.

Rate of tax.  
*Post*, pp. 1392, 1420.

*Ante*, p. 183.  
I. R. C. § 1601.

Contributions to State unemployment funds.

*Ante*, p. 185; *post*, p. 1391.  
I. R. C. § 1603.

"(4) Upon the payment of contributions into the unemployment fund of a State which are required under the unemployment compensation law of that State with respect to remuneration on the basis of which, prior to such payment into the proper fund, the taxpayer erroneously paid an amount as contributions under another unemployment compensation law, the payment into the proper fund shall, for purposes of credit against the tax, be deemed to have been made at the time of the erroneous payment. If, by reason of such other law, the taxpayer was entitled to cease paying contributions with respect to services subject to such other law, the payment into the proper fund shall, for purposes of credit against the tax, be deemed to have been made on the date the return for the taxable year was filed under section 1604.

*Ante*, p. 186; *post*,  
p. 1391.  
I. R. C. § 1604.

"(5) Refund of the tax (including penalty and interest collected with respect thereto, if any), based on any credit allowable under this section, may be made in accordance with the provisions of law applicable in the case of erroneous or illegal collection of the tax. No interest shall be allowed or paid on the amount of any such refund.

Additional credit.

"(b) **ADDITIONAL CREDIT.**—In addition to the credit allowed under subsection (a), a taxpayer may credit against the tax imposed by section 1600 for any taxable year an amount, with respect to the unemployment compensation law of each State certified for the taxable year as provided in section 1602 (or with respect to any provisions thereof so certified), equal to the amount, if any, by which the contributions required to be paid by him with respect to the taxable year were less than the contributions such taxpayer would have been required to pay if throughout the taxable year he had been subject under such State law to the highest rate applied thereunder in the taxable year to any person having individuals in his employ, or to a rate of 2.7 per centum, whichever rate is lower.

*Ante*, pp. 183, 1387.  
I. R. C. § 1600.

*Infra*.

Limit on total credits.

"(c) **LIMIT ON TOTAL CREDITS.**—The total credits allowed to a taxpayer under this subchapter shall not exceed 90 per centum of the tax against which such credits are allowable."

*Ante*, p. 184.  
I. R. C. § 1602.

SEC. 610. (a) Section 1602 of the Internal Revenue Code is amended to read as follows:

**"SEC. 1602. CONDITIONS OF ADDITIONAL CREDIT ALLOWANCE.**

State standards.  
*Supra*.

"(a) **STATE STANDARDS.**—A taxpayer shall be allowed an additional credit under section 1601 (b) with respect to any reduced rate of contributions permitted by a State law, only if the Board finds that under such law—

"(1) No reduced rate of contributions to a pooled fund or to a partially pooled account, is permitted to a person (or group of persons) having individuals in his (or their) employ except on the basis of his (or their) experience with respect to unemployment or other factors bearing a direct relation to unemployment risk during not less than the three consecutive years immediately preceding the computation date;

"(2) No reduced rate of contributions to a guaranteed employment account is permitted to a person (or a group of persons) having individuals in his (or their) employ unless (A) the guaranty of remuneration was fulfilled in the year preceding the computation date; and (B) the balance of such account amounts to not less than 2½ per centum of that part of the pay roll or pay rolls for the three years preceding the computation date by which contributions to such account were measured; and (C) such contributions were payable to such account with respect to three years preceding the computation date;

“(3) Such lower rate, with respect to contributions to a separate reserve account, is permitted only when (A) compensation has been payable from such account throughout the preceding calendar year, and (B) such account amounts to not less than five times the largest amount of compensation paid from such account within any one of the three preceding calendar years, and (C) such account amounts to not less than  $7\frac{1}{2}$  per centum of the total wages payable by him (plus the total wages payable by any other employers who may be contributing to such account) with respect to employment in such State in the preceding calendar year.

“(4) Effective January 1, 1942, paragraph (3) of this subsection is amended to read as follows:

“(3) No reduced rate of contributions to a reserve account is permitted to a person (or group of persons) having individuals in his (or their) employ unless (A) compensation has been payable from such account throughout the year preceding the computation date, and (B) the balance of such account amounts to not less than five times the largest amount of compensation paid from such account within any one of the three years preceding such date, and (C) the balance of such account amounts to not less than  $2\frac{1}{2}$  per centum of that part of the pay roll or pay rolls for the three years preceding such date by which contributions to such account were measured, and (D) such contributions were payable to such account with respect to the three years preceding the computation date.’

“(b) CERTIFICATION BY THE BOARD WITH RESPECT TO ADDITIONAL CREDIT ALLOWANCE.—

“(1) On December 31 in each taxable year, the Board shall certify to the Secretary of the Treasury the law of each State (certified with respect to such year by the Board as provided in section 1603) with respect to which it finds that reduced rates of contributions were allowable with respect to such taxable year only in accordance with the provisions of subsection (a) of this section.

“(2) If the Board finds that under the law of a single State (certified by the Board as provided in section 1603) more than one type of fund or account is maintained, and reduced rates of contributions to more than one type of fund or account were allowable with respect to any taxable year, and one or more of such reduced rates were allowable under conditions not fulfilling the requirements of subsection (a) of this section, the Board shall, on December 31 of such taxable year, certify to the Secretary of the Treasury only those provisions of the State law pursuant to which reduced rates of contributions were allowable with respect to such taxable year under conditions fulfilling the requirements of subsection (a) of this section, and shall, in connection therewith, designate the kind of fund or account, as defined in subsection (c) of this section, established by the provisions so certified. If the Board finds that a part of any reduced rate of contributions payable under such law or under such provisions is required to be paid into one fund or account and a part into another fund or account, the Board shall make such certification pursuant to this paragraph as it finds will assure the allowance of additional credits only with respect to that part of the reduced rate of contributions which is allowed under provisions which do fulfill the requirements of subsection (a) of this section.

“(3) The Board shall, within thirty days after any State law is submitted to it for such purpose, certify to the State agency

Certification by the Board with respect to additional credit allowance.

*Ante*, p. 185; *post*, p. 1391.  
I. R. C. § 1603.

its findings with respect to reduced rates of contributions to a type of fund or account, as defined in subsection (c) of this section, which are allowable under such State law only in accordance with the provisions of subsection (a) of this section. After making such findings, the Board shall not withhold its certification to the Secretary of the Treasury of such State law, or of the provisions thereof with respect to which such findings were made, for any taxable year pursuant to paragraph (1) or (2) of this subsection unless, after reasonable notice and opportunity for hearing to the State agency, the Board finds the State law no longer contains the provisions specified in subsection (a) of this section or the State has, with respect to such taxable year, failed to comply substantially with any such provision.

Definitions.

"Reserve account."

"(c) DEFINITIONS.—As used in this section—

"(1) RESERVE ACCOUNT.—The term 'reserve account' means a separate account in an unemployment fund, maintained with respect to a person (or group of persons) having individuals in his (or their) employ, from which account, unless such account is exhausted, is paid all and only compensation payable on the basis of services performed for such person (or for one or more of the persons comprising the group).

"Pooled fund."

"(2) POOLED FUND.—The term 'pooled fund' means an unemployment fund or any part thereof (other than a reserve account or a guaranteed employment account) into which the total contributions of persons contributing thereto are payable, in which all contributions are mingled and undivided, and from which compensation is payable to all individuals eligible for compensation from such fund.

"Partially pooled account."

"(3) PARTIALLY POOLED ACCOUNT.—The term 'partially pooled account' means a part of an unemployment fund in which part of the fund all contributions thereto are mingled and undivided, and from which part of the fund compensation is payable only to individuals to whom compensation would be payable from a reserve account or from a guaranteed employment account but for the exhaustion or termination of such reserve account or of such guaranteed employment account. Payments from a reserve account or guaranteed employment account into a partially pooled account shall not be construed to be inconsistent with the provisions of paragraph (1) or (4) of this subsection.

"Guaranteed employment account."

"(4) GUARANTEED EMPLOYMENT ACCOUNT.—The term 'guaranteed employment account' means a separate account, in an unemployment fund, maintained with respect to a person (or group of persons) having individuals in his (or their) employ who, in accordance with the provisions of the State law or of a plan thereunder approved by the State agency,

"(A) guarantees in advance at least thirty hours of work, for which remuneration will be paid at not less than stated rates, for each of forty weeks (or if more, one weekly hour may be deducted for each added week guaranteed) in a year, to all the individuals who are in his (or their) employ in, and who continue to be available for suitable work in, one or more distinct establishments, except that any such individual's guaranty may commence after a probationary period (included within the eleven or less consecutive weeks immediately following the first week in which the individual renders services), and

"(B) gives security or assurance, satisfactory to the State agency, for the fulfillment of such guaranties, from which account, unless such account is exhausted or terminated, is paid all and only compensation, payable on the basis of services performed for

such person (or for one or more of the persons comprising the group), to any such individual whose guaranteed remuneration has not been paid (either pursuant to the guaranty or from the security or assurance provided for the fulfillment of the guaranty), or whose guaranty is not renewed and who is otherwise eligible for compensation under the State law.

“(5) YEAR.—The term ‘year’ means any twelve consecutive calendar months.

“(6) BALANCE.—The term ‘balance’, with respect to a reserve account or a guaranteed employment account, means the amount standing to the credit of the account as of the computation date; except that, if subsequent to January 1, 1940, any moneys have been paid into or credited to such account other than payments thereto by persons having individuals in their employ, such term shall mean the amount in such account as of the computation date less the total of such other moneys paid into or credited to such account subsequent to January 1, 1940.

“(7) COMPUTATION DATE.—The term ‘computation date’ means the date, occurring at least once in each calendar year and within twenty-seven weeks prior to the effective date of new rates of contributions, as of which such rates are computed.

“(8) REDUCED RATE.—The term ‘reduced rate’ means a rate of contributions lower than the standard rate applicable under the State law, and the term ‘standard rate’ means the rate on the basis of which variations therefrom are computed.”

SEC. 611. Paragraphs (1), (3), and (4) of section 1603 (a) of the Internal Revenue Code are amended to read as follows:

“(1) All compensation is to be paid through public employment offices or such other agencies as the Board may approve;

“(3) All money received in the unemployment fund shall (except for refunds of sums erroneously paid into such fund and except for refunds paid in accordance with the provisions of section 1606 (b)) immediately upon such receipt be paid over to the Secretary of the Treasury to the credit of the Unemployment Trust Fund established by section 904 of the Social Security Act 49 Stat. 640; U. S. C., 1934 ed., title 42, sec. 1104);

“(4) All money withdrawn from the unemployment fund of the State shall be used solely in the payment of unemployment compensation, exclusive of expenses of administration, and for refunds of sums erroneously paid into such fund and refunds paid in accordance with the provisions of section 1606 (b);”

SEC. 612. Section 1604 (b) of the Internal Revenue Code is amended to read as follows:

“(b) EXTENSION OF TIME FOR FILING.—The Commissioner may extend the time for filing the return of the tax imposed by this subchapter, under such rules and regulations as he may prescribe with the approval of the Secretary, but no such extension shall be for more than ninety days.

SEC. 613. Section 1606 of the Internal Revenue Code is amended to read as follows:

“SEC. 1606. INTERSTATE COMMERCE AND FEDERAL INSTRUMENTALITIES.

“(a) No person required under a State law to make payments to an unemployment fund shall be relieved from compliance therewith on the ground that he is engaged in interstate or foreign commerce, or that the State law does not distinguish between employees engaged in interstate or foreign commerce and those engaged in intrastate commerce.

“Year.”

“Balance.”

“Computation date.”

“Reduced rate.”

*Ante*, p. 185.  
I. R. C. § 1603 (a).  
Approval of State laws, requirements for.

*Post*, p. 1392.

49 Stat. 640.  
42 U. S. C., Supp. IV, § 1104.

*Ante*, p. 186.  
I. R. C. § 1604 (b).  
Returns.  
Extension of time for filing.

*Ante*, p. 187.  
I. R. C. § 1606.

Persons engaged in interstate, etc., commerce, payments under State law to unemployment fund.



Federal instrumentalities and their employees, contributions to State unemployment funds; exceptions.

*Ante*, p. 1387.

*Ante*, pp. 185, 1391.  
I. R. C. § 1603.  
R. S. § 5240.  
12 U. S. C. §§ 481-485; Supp. IV, §§ 481-485.

National banking associations, returns, etc., relative to remuneration and services of employees.

Persons performing services on U. S. premises, compliance with State unemployment compensation laws.

*Ante*, p. 187.  
I. R. C. § 1607.

“(b) The legislature of any State may require any instrumentality of the United States (except such as are (A) wholly owned by the United States, or (B) exempt from the tax imposed by section 1600 by virtue of any other provision of law), and the individuals in its employ, to make contributions to an unemployment fund under a State unemployment compensation law approved by the Board under section 1603 and (except as provided in section 5240 of the Revised Statutes, as amended, and as modified by subsection (c) of this section) to comply otherwise with such law. The permission granted in this subsection shall apply (1) only to the extent that no discrimination is made against such instrumentality, so that if the rate of contribution is uniform upon all other persons subject to such law on account of having individuals in their employ, and upon all employees of such persons, respectively, the contributions required of such instrumentality or the individuals in its employ shall not be at a greater rate than is required of such other persons and such employees, and if the rates are determined separately for different persons or classes of persons having individuals in their employ or for different classes of employees, the determination shall be based solely upon unemployment experience and other factors bearing a direct relation to unemployment risk, and (2) only if such State law makes provision for the refund of any contributions required under such law from an instrumentality of the United States or its employees for any year in the event said State is not certified by the Board under section 1603 with respect to such year.

“(c) Nothing contained in section 5240 of the Revised Statutes, as amended, shall prevent any State from requiring any national banking association to render returns and reports relative to the association's employees, their remuneration and services, to the same extent that other persons are required to render like returns and reports under a State law requiring contributions to an unemployment fund. The Comptroller of the Currency shall, upon receipt of a copy of any such return or report of a national banking association from, and upon request of, any duly authorized official, body, or commission of a State, cause an examination of the correctness of such return or report to be made at the time of the next succeeding examination of such association, and shall thereupon transmit to such official, body, or commission a complete statement of his findings respecting the accuracy of such returns or reports.

“(d) No person shall be relieved from compliance with a State unemployment compensation law on the ground that services were performed on land or premises owned, held, or possessed by the United States, and any State shall have full jurisdiction and power to enforce the provisions of such law to the same extent and with the same effect as though such place were not owned, held, or possessed by the United States.”

SEC. 614. Effective January 1, 1940, section 1607 of the Internal Revenue Code is amended to read as follows:

#### “SEC. 1607. DEFINITIONS.

“When used in this subchapter—

“Employer.”

“(a) EMPLOYER.—The term ‘employer’ does not include any person unless on each of some twenty days during the taxable year, each day being in a different calendar week, the total number of individuals who were employed by him in employment for some portion of the day (whether or not at the same moment of time) was eight or more.

“Wages.”

“(b) WAGES.—The term ‘wages’ means all remuneration for employment, including the cash value of all remuneration paid in

any medium other than cash; except that such term shall not include—

Exceptions.

“(1) That part of the remuneration which, after remuneration equal to \$3,000 has been paid to an individual by an employer with respect to employment during any calendar year, is paid to such individual by such employer with respect to employment during such calendar year;

“(2) The amount of any payment made to, or on behalf of, an employee under a plan or system established by an employer which makes provision for his employees generally or for a class or classes of his employees (including any amount paid by an employer for insurance or annuities, or into a fund, to provide for any such payment), on account of (A) retirement, or (B) sickness or accident disability, or (C) medical and hospitalization expenses in connection with sickness or accident disability, or (D) death, provided the employee (i) has not the option to receive, instead of provision for such death benefit, any part of such payment or, if such death benefit is insured, any part of the premiums (or contributions to premiums) paid by his employer, and (ii) has not the right, under the provisions of the plan or system or policy of insurance providing for such death benefit, to assign such benefit, or to receive a cash consideration in lieu of such benefit either upon his withdrawal from the plan or system providing for such benefit or upon termination of such plan or system or policy of insurance or of his employment with such employer;

“(3) The payment by an employer (without deduction from the remuneration of the employee) (A) of the tax imposed upon an employee under section 1400 or (B) of any payment required from an employee under a State unemployment compensation law; or

*Ante*, p. 1381.

“(4) Dismissal payments which the employer is not legally required to make.

“(c) **EMPLOYMENT.**—The term ‘employment’ means any service performed prior to January 1, 1940, which was employment as defined in this section prior to such date, and any service, of whatever nature, performed after December 31, 1939, within the United States by an employee for the person employing him, irrespective of the citizenship or residence of either, except—

“‘Employment.’”

“(1) Agricultural labor (as defined in subsection (1));

“(2) Domestic service in a private home, local college club, or local chapter of a college fraternity or sorority;

Exceptions.

Agricultural labor.

Domestic service.

“(3) Casual labor not in the course of the employer’s trade or business;

Casual labor.

“(4) Service performed as an officer or member of the crew of a vessel on the navigable waters of the United States;

Crew of vessels on navigable waters of United States.

“(5) Service performed by an individual in the employ of his son, daughter, or spouse, and service performed by a child under the age of twenty-one in the employ of his father or mother;

Individual in employ of son, daughter, etc.

“(6) Service performed in the employ of the United States Government or of an instrumentality of the United States which is (A) wholly owned by the United States, or (B) exempt from the tax imposed by section 1600 by virtue of any other provision of law;

United States Government, etc., employees.

*Ante*, p. 1387.

“(7) Service performed in the employ of a State, or any political subdivision thereof, or any instrumentality of any one or more of the foregoing which is wholly owned by one or more States or political subdivisions; and any service performed in

State, etc., employees.

*Ante*, p. 1387.

Religious, etc., corporations.

Carriers, employees and employee representatives.

52 Stat. 1094.

45 U. S. C., Supp. IV, § 351.

Certain corporations exempt from income tax; conditions.

*Ante*, p. 33.

I. R. C. § 101.

Agricultural, etc., organizations.

Voluntary employees' beneficiary associations.

Schools, colleges, etc.

*Ante*, p. 33.

I. R. C. § 101.

Foreign government employees.

the employ of any instrumentality of one or more States or political subdivisions to the extent that the instrumentality is, with respect to such service, immune under the Constitution of the United States from the tax imposed by section 1600;

"(8) Service performed in the employ of a corporation, community chest, fund, or foundation, organized and operated exclusively for religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inures to the benefit of any private shareholder or individual, and no substantial part of the activities of which is carrying on propaganda, or otherwise attempting, to influence legislation;

"(9) Service performed by an individual as an employee or employee representative as defined in section 1 of the Railroad Unemployment Insurance Act;

"(10) (A) Service performed in any calendar quarter in the employ of any organization exempt from income tax under section 101, if—

"(i) the remuneration for such service does not exceed \$45, or

"(ii) such service is in connection with the collection of dues or premiums for a fraternal beneficiary society, order, or association, and is performed away from the home office, or is ritualistic service in connection with any such society, order, or association, or

"(iii) such service is performed by a student who is enrolled and is regularly attending classes at a school, college, or university;

(B) Service performed in the employ of an agricultural or horticultural organization exempt from income tax under section 101 (1);

"(C) Service performed in the employ of a voluntary employees' beneficiary association providing for the payment of life, sick, accident, or other benefits to the members of such association or their dependents, if (i) no part of its net earnings inures (other than through such payments) to the benefit of any private shareholder or individual, and (ii) 85 per centum or more of the income consists of amounts collected from members for the sole purpose of making such payments and meeting expenses;

"(D) Service performed in the employ of a voluntary employees' beneficiary association providing for the payment of life, sick, accident, or other benefits to the members of such association or their dependents or their designated beneficiaries, if (i) admission to membership in such association is limited to individuals who are officers or employees of the United States Government, and (ii) no part of the net earnings of such association inures (other than through such payments) to the benefit of any private shareholder or individual;

"(E) Service performed in any calendar quarter in the employ of a school, college, or university, not exempt from income tax under section 101, if such service is performed by a student who is enrolled and is regularly attending classes at such school, college, or university, and the remuneration for such service does not exceed \$45 (exclusive of room, board, and tuition);

"(11) Service performed in the employ of a foreign government (including service as a consular or other officer or employee or a nondiplomatic representative);

“(12) Service performed in the employ of an instrumentality wholly owned by a foreign government—

Instrumentality wholly owned by foreign government.

“(A) If the service is of a character similar to that performed in foreign countries by employees of the United States Government or of an instrumentality thereof; and

“(B) If the Secretary of State shall certify to the Secretary of the Treasury that the foreign government, with respect to whose instrumentality exemption is claimed, grants an equivalent exemption with respect to similar service performed in the foreign country by employees of the United States Government and of instrumentalities thereof:

“(13) Service performed as a student nurse in the employ of a hospital or a nurses' training school by an individual who is enrolled and is regularly attending classes in a nurses' training school chartered or approved pursuant to State law; and service performed as an interne in the employ of a hospital by an individual who has completed a four years' course in a medical school chartered or approved pursuant to State law;

Student nurses; internes.

“(14) Service performed by an individual for a person as an insurance agent or as an insurance solicitor, if all such service performed by such individual for such person is performed for remuneration solely by way of commission; or

Insurance agents, etc., on commission basis.

“(15) Service performed by an individual under the age of eighteen in the delivery or distribution of newspapers or shopping news, not including delivery or distribution to any point for subsequent delivery or distribution.

Individuals under age of 18 delivering newspapers, etc.

“(d) INCLUDED AND EXCLUDED SERVICE.—If the services performed during one-half or more of any pay period by an employee for the person employing him constitute employment, all the services of such employee for such period shall be deemed to be employment; but if the services performed during more than one-half of any such pay period by an employee for the person employing him do not constitute employment, then none of the services of such employee for such period shall be deemed to be employment. As used in this subsection the term ‘pay period’ means a period (of not more than thirty-one consecutive days) for which a payment of remuneration is ordinarily made to the employee by the person employing him. This subsection shall not be applicable with respect to services performed in a pay period by an employee for the person employing him, where any of such service is excepted by paragraph (9) of subsection (c).

Included and excluded service.

“Pay period” defined.

“(e) STATE AGENCY.—The term ‘State agency’ means any State officer, board, or other authority, designated under a State law to administer the unemployment fund in such State.

“State agency.”

“(f) UNEMPLOYMENT FUND.—The term ‘unemployment fund’ means a special fund, established under a State law and administered by a State agency, for the payment of compensation. Any sums standing to the account of the State agency in the Unemployment Trust Fund established by section 904 of the Social Security Act, as amended, shall be deemed to be a part of the unemployment fund of the State, and no sums paid out of the Unemployment Trust Fund to such State agency shall cease to be a part of the unemployment fund of the State until expended by such State agency. An unemployment fund shall be deemed to be maintained during a taxable year only if throughout such year, or such portion of the year as the unemployment fund was in existence, no part of the moneys of such fund was expended for any purpose other than the payment of compensation (exclusive of expenses of administration) and for refunds of sums

“Unemployment fund.”

49 Stat. 640.  
42 U. S. C., Supp. IV, § 1104.

*Ante*, p. 1392.

"Contributions."

"Compensation."

"Employee."

"State."

"Person."

"Agricultural labor."

erroneously paid into such fund and refunds paid in accordance with the provisions of section 1606 (b).

"(g) CONTRIBUTIONS.—The term 'contributions' means payments required by a State law to be made into an unemployment fund by any person on account of having individuals in his employ, to the extent that such payments are made by him without being deducted or deductible from the remuneration of individuals in his employ.

"(h) COMPENSATION.—The term 'compensation' means cash benefits payable to individuals with respect to their unemployment.

"(i) EMPLOYEE.—The term 'employee' includes an officer of a corporation.

"(j) STATE.—The term 'State' includes Alaska, Hawaii, and the District of Columbia.

"(k) PERSON.—The term 'person' means an individual, a trust or estate, a partnership, or a corporation.

"(l) AGRICULTURAL LABOR.—The term 'agricultural labor' includes all service performed—

"(1) On a farm, in the employ of any person, in connection with cultivating the soil, or in connection with raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, and fur-bearing animals and wildlife.

"(2) In the employ of the owner or tenant or other operator of a farm, in connection with the operation, management, conservation, improvement, or maintenance of such farm and its tools and equipment, or in salvaging timber or clearing land of brush and other debris left by a hurricane, if the major part of such service is performed on a farm.

"(3) In connection with the production or harvesting of maple sirup or maple sugar or any commodity defined as an agricultural commodity in section 15 (g) of the Agricultural Marketing Act, as amended, or in connection with the raising or harvesting of mushrooms, or in connection with the hatching of poultry, or in connection with the ginning of cotton, or in connection with the operation or maintenance of ditches, canals, reservoirs, or waterways used exclusively for supplying and storing water for farming purposes.

"(4) In handling, planting, drying, packing, packaging, processing, freezing, grading, storing, or delivering to storage or to market or to a carrier for transportation to market, any agricultural or horticultural commodity; but only if such service is performed as an incident to ordinary farming operations or, in the case of fruits and vegetables, as an incident to the preparation of such fruits or vegetables for market. The provisions of this paragraph shall not be deemed to be applicable with respect to service performed in connection with commercial canning or commercial freezing or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption.

"Farm."

"As used in this subsection, the term 'farm' includes stock, dairy, poultry, fruit, fur-bearing animal, and truck farms, plantations, ranches, nurseries, ranges, greenhouses or other similar structures used primarily for the raising of agricultural or horticultural commodities, and orchards."

*Ante*, p. 183.

"Federal Unemployment Tax Act."

SEC. 615. Subchapter C of chapter 9 of the Internal Revenue Code is amended by adding at the end thereof the following new section:

"SEC. 1611. This subchapter may be cited as the 'Federal Unemployment Tax Act.'"

## TITLE VII—AMENDMENTS TO TITLE X OF THE SOCIAL SECURITY ACT

SEC. 701. (a) Clause (5) of section 1002 (a) of the Social Security Act is amended to read as follows: "(5) provide such methods of administration (including after January 1, 1940, methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Board shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods) as are found by the Board to be necessary for the proper and efficient operation of the plan."

Grants to States for aid to the blind.  
State plans.  
Required methods of administration.  
49 Stat. 645.  
42 U. S. C., Supp. IV, § 1202.

(b) Effective July 1, 1941, section 1002 (a) of such Act is further amended by inserting before the period at the end thereof a semicolon and the following new clauses: "(8) provide that the State agency shall, in determining need, take into consideration any other income and resources of an individual claiming aid to the blind; and (9) provide safeguards which restrict the use or disclosure of information concerning applicants and recipients to purposes directly connected with the administration of aid to the blind".

Consideration of other income in determination of need.

Disclosure of information concerning applicants, etc., restriction.

SEC. 702. Effective January 1, 1940, section 1003 of such Act is amended to read as follows:

49 Stat. 646.  
42 U. S. C., Supp. IV, § 1203.

### "PAYMENT TO STATES

"SEC. 1003. (a) From the sums appropriated therefor, the Secretary of the Treasury shall pay to each State which has an approved plan for aid to the blind, for each quarter, beginning with the quarter commencing January 1, 1940, (1) an amount, which shall be used exclusively as aid to the blind, equal to one-half of the total of the sums expended during such quarter as aid to the blind under the State plan with respect to each needy individual who is blind and is not an inmate of a public institution, not counting so much of such expenditure with respect to any individual for any month as exceeds \$40, and (2) an amount equal to one-half of the total of the sums expended during such quarter as found necessary by the Board for the proper and efficient administration of the State plan, which amount shall be used for paying the costs of administering the State plan or for aid to the blind, or both, and for no other purpose.

Amount to be paid for each quarter.

"(b) The method of computing and paying such amounts shall be as follows:

Method of computing and paying amounts.

"(1) The Board shall, prior to the beginning of each quarter, estimate the amount to be paid to the State for such quarter under the provisions of subsection (a), such estimate to be based on (A) a report filed by the State containing its estimate of the total sum to be expended in such quarter in accordance with the provisions of such subsection, and stating the amount appropriated or made available by the State and its political subdivisions for such expenditures in such quarter, and if such amount is less than one-half of the total sum of such estimated expenditures, the source or sources from which the difference is expected to be derived, (B) records showing the number of blind individuals in the State, and (C) such other investigation as the Board may find necessary.

Estimate by Board.

Bases of estimate.

"(2) The Board shall then certify to the Secretary of the Treasury the amount so estimated by the Board, (A) reduced or increased, as the case may be, by any sum by which it finds that its estimate for any prior quarter was greater or less than the amount which should have been paid to the State under subsection (a) for such quarter, and (B) reduced by a sum

Certification of amount by Board; reductions or increases.

## Exception.

*Proviso.*  
Recoveries from  
estates of deceased  
recipients.

Payments prior to  
audit, etc., by General  
Accounting Office.

49 Stat. 647.  
42 U. S. C., Supp.  
IV, § 1206.  
"Aid to the blind"  
defined.

equivalent to the pro rata share to which the United States is equitably entitled, as determined by the Board, of the net amount recovered during a prior quarter by the State or any political subdivision thereof with respect to aid to the blind furnished under the State plan; except that such increases or reductions shall not be made to the extent that such sums have been applied to make the amount certified for any prior quarter greater or less than the amount estimated by the Board for such prior quarter: *Provided*, That any part of the amount recovered from the estate of a deceased recipient which is not in excess of the amount expended by the State or any political subdivision thereof for the funeral expenses of the deceased shall not be considered as a basis for reduction under clause (B) of this paragraph.

"(3) The Secretary of the Treasury shall thereupon, through the Division of Disbursement of the Treasury Department, and prior to audit or settlement by the General Accounting Office, pay to the State, at the time or times fixed by the Board, the amount so certified."

SEC. 703. Section 1006 of such Act is amended to read as follows: "SEC. 1006. When used in this title the term 'aid to the blind' means money payments to blind individuals who are needy."

## TITLE VIII—AMENDMENTS TO TITLE XI OF THE SOCIAL SECURITY ACT

General provisions.  
"State" defined.  
49 Stat. 647.  
42 U. S. C., Supp.  
IV, § 1301.

SEC. 801. Effective January 1, 1940, paragraph (1) of section 1101 (a) of such Act is amended to read as follows: "(1) The term 'State' (except when used in section 531) includes Alaska, Hawaii, and the District of Columbia, and when used in titles V and VI of such Act (including section 531) includes Puerto Rico."

SEC. 802. Title XI of such Act is further amended by adding at the end thereof the following new sections:

### "DISCLOSURE OF INFORMATION IN POSSESSION OF BOARD

Disclosure of information  
in possession  
of Board.

49 Stat. 636.  
42 U. S. C., Supp.  
IV, §§ 1001-1011.  
*Ante*, p. 1387.  
I. R. C., ch. 9, sub-  
ch. A.

"SEC. 1106. No disclosure of any return or portion of a return (including information returns and other written statements) filed with the Commissioner of Internal Revenue under title VIII of the Social Security Act or the Federal Insurance Contributions Act or under regulations made under authority thereof, which has been transmitted to the Board by the Commissioner of Internal Revenue, or of any file, record, report, or other paper, or any information, obtained at any time by the Board or by any officer or employee of the Board in the course of discharging the duties of the Board, and no disclosure of any such file, record, report, or other paper, or information, obtained at any time by any person from the Board or from any officer or employee of the Board, shall be made except as the Board may by regulations prescribe. Any person who shall violate any provision of this section shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine not exceeding \$1,000, or by imprisonment not exceeding one year, or both.

## Penalty.

### "PENALTY FOR FRAUD

## Fraud.

*Ante*, pp. 1387, 1396.  
I. R. C., ch. 9, sub-  
chs. A, C.

"SEC. 1107. (a) Whoever, with the intent to defraud any person, shall make or cause to be made any false representation concerning the requirements of this Act, the Federal Insurance Contributions Act, or the Federal Unemployment Tax Act, or of any rules or regulations issued thereunder, knowing such representations to be

false, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding \$1,000, or by imprisonment not exceeding one year, or both.

“(b) Whoever, with the intent to elicit information as to the date of birth, employment, wages, or benefits of any individual (1) falsely represents to the Board that he is such individual, or the wife, parent, or child of such individual, or the duly authorized agent of such individual, or of the wife, parent, or child of such individual, or (2) falsely represents to any person that he is an employee or agent of the United States, shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding \$1,000, or by imprisonment not exceeding one year, or both.”

Penalty.

Obtaining of information by false representations.

Penalty.

## TITLE IX—MISCELLANEOUS PROVISIONS

SEC. 901. Except as provided in section 906, no provision of this Act shall be construed as amending or altering the effect of section 13 (b), (c), (d), (e), or (f) of the Railroad Unemployment Insurance Act.

SEC. 902. (a) Against the tax imposed by section 901 of the Social Security Act for the calendar year 1936, 1937, or 1938, any taxpayer shall be allowed credit for the amount of contributions, with respect to employment during such year, paid by him into an unemployment fund under a State law—

(1) Before the sixtieth day after the date of the enactment of this Act;

(2) On or after such sixtieth day, with respect to wages paid after the fortieth day after such date of enactment;

(3) Without regard to the date of payment, if the assets of the taxpayer are, at any time during the fifty-nine-day period following such date of enactment, in the custody or control of a receiver, trustee, or other fiduciary appointed by, or under the control of, a court of competent jurisdiction.

(b) Upon the payment of contributions into the unemployment fund of a State which are required under the unemployment compensation law of that State with respect to remuneration on the basis of which, prior to such payment into the proper fund, the taxpayer erroneously paid an amount as contributions under another unemployment compensation law, the payment into the proper fund shall, for purposes of credit against the tax imposed by section 901 of the Social Security Act for the calendar years 1936, 1937, and 1938, respectively, be deemed to have been made at the time of the erroneous payment. If, by reason of such other law, the taxpayer was entitled to cease paying contributions with respect to services subject to such other law, the payment into the proper fund shall, for purposes of credit against the tax, be deemed to have been made on the date the return for the taxable year was filed under section 905 of the Social Security Act.

(c) The provisions of the Social Security Act in force prior to February 11, 1939 (except the provisions limiting the credit to amounts paid before the date of filing returns) shall apply to allowance of credit under subsections (a), (b), and (h), and the terms used in such subsections shall have the same meaning as when used in title IX of the Social Security Act prior to such date. The total credit allowable against the tax imposed by section 901 of such Act for the calendar years 1936, 1937, and 1938, respectively, shall not exceed 90 per centum of such tax.

(d) Refund of the tax (including penalty and interest collected with respect thereto, if any), based on any credit allowable under

Railroad Unemployment Insurance Act, provisions not deemed amended; exceptions.

32 Stat. 1110.  
45 U. S. C., Supp. IV, § 363.

Tax on employers of eight or more.

Credits against the tax, years 1936-1938.

49 Stat. 639.  
42 U. S. C., Supp. IV, § 1101.

Contributions to State unemployment fund, erroneous payments.

49 Stat. 641.  
42 U. S. C., Supp. IV, § 1105.

Provisions applicable.

49 Stat. 639.  
42 U. S. C., Supp. IV, § 1101.

Refunds.



Interest, restriction on payment.

*Ante*, p. 1387.

Years for which credit permitted.

Certain services performed prior to Jan. 1, 1940, restriction on tax collections.

49 Stat. 636, 639.  
42 U. S. C., Supp. IV, §§ 1001, 1101.  
*Ante*, pp. 1387, 1396.  
I. R. C., ch. 9, subch. A. C.  
Refunds.

Old-age benefits. Restriction on certain payments.

49 Stat. 622.  
42 U. S. C., Supp. IV, § 401.  
Lump-sum payments.  
49 Stat. 624.  
42 U. S. C., Supp. IV, § 404.

Contributions to State fund, years 1936 or 1937, held not to be required payments, credit for.

49 Stat. 643.  
42 U. S. C., Supp. IV, § 1107 (f).  
49 Stat. 639.  
42 U. S. C., Supp. IV, § 1101.

Periods of limitation, suspension of running of.

*Ante*, p. 400.  
I. R. C. § 3312 (a).

Certain taxes not deemed penalty, etc., under bankruptcy laws.

*Ante*, p. 1396.  
I. R. C., ch. 9, subch. C.  
49 Stat. 639.  
42 U. S. C., Supp. IV, § 1101.  
52 Stat. 867.  
11 U. S. C., Supp. IV, § 93j.  
Clerical changes.  
*Ante*, p. 178.  
I. R. C. § 1430.  
*Ante*, p. 178.  
I. R. C. § 1428.

Services performed during 1939 by individual attaining age of 65.

subsections (a), (b), and (h), may be made in accordance with the provisions of law applicable in the case of erroneous or illegal collection of the tax. No interest shall be allowed or paid on the amount of any such refund.

(e) Notwithstanding the provisions of section 1601 (a) (2) of the Internal Revenue Code, as amended, credit shall be permitted under such section 1601, against the tax for the taxable year in which remuneration is paid for services rendered during a prior year, for the amounts of contributions with respect to such remuneration which have not been credited against the tax for any prior taxable year. Credit shall be permitted under this subsection only against the tax for the years 1940, 1941, and 1942, and only for contributions with respect to remuneration for services rendered after December 31, 1938.

(f) No tax shall be collected under title VIII or IX of the Social Security Act or under the Federal Insurance Contributions Act or the Federal Unemployment Tax Act, with respect to services rendered prior to January 1, 1940, which are described in subparagraphs (11) and (12) of sections 1426 (b) and 1607 (c) of the Internal Revenue Code, as amended, and any such tax heretofore collected (including penalty and interest with respect thereto, if any), shall be refunded in accordance with the provisions of law applicable in the case of erroneous or illegal collection of the tax. No interest shall be allowed or paid on the amount of any such refund. No payment shall be made under title II of the Social Security Act with respect to services rendered prior to January 1, 1940, which are described in subparagraphs (11) and (12) of section 209 (b) of such Act, as amended.

(g) No lump-sum payment shall be made under the provisions of section 204 of the Social Security Act after the date of enactment of this Act, except to the estate of an individual who dies prior to January 1, 1940.

(h) Notwithstanding the provision of section 907 (f) of the Social Security Act limiting the term "contributions" to payments required by a State law, credit shall be permitted against the tax imposed by section 901 of such Act for the calendar year 1936 or 1937, for so much of any payments made as contributions for such year into the unemployment fund of a State which are held by the highest court of such State not to be required payments under the unemployment compensation law of such State if they are not returned to the taxpayer. So much of such payments as are not so returned shall be considered to be "contributions" for the purposes of section 903 of such Act. The periods of limitations prescribed by section 3312 (a) of the Internal Revenue Code shall not begin to run, in the case of the tax for such year of any taxpayer to whom any such payment is returned, until the last such payment is returned to the taxpayer.

(i) No part of the tax imposed by the Federal Unemployment Tax Act or by title IX of the Social Security Act, whether or not the taxpayer is entitled to a credit against such tax, shall be deemed to be a penalty or forfeiture within the meaning of section 57j of the Act entitled "An Act to establish a uniform system of bankruptcy throughout the United States", approved July 1, 1898, as amended.

SEC. 903. Section 1430 of the Internal Revenue Code is amended by striking out "3762" and inserting in lieu thereof "3661".

SEC. 904. Effective January 1, 1940, section 1428 of the Internal Revenue Code is amended by striking out "paragraphs (9) and (10)" and inserting in lieu thereof "paragraph (9)".

SEC. 905. (a) No service performed at any time during the calendar year 1939 by any individual shall, by reason of the individual having attained the age of sixty-five, be excepted from employ-

ment as defined in section 1426 (b) of subchapter A of chapter 9 of the Internal Revenue Code. Paragraph (4) of such section (which excepts such service from employment) is repealed as of the effective date thereof, and paragraph (4) of section 811 (b) of the Social Security Act is repealed as of January 1, 1939. The tax on employees imposed by section 1400 of such subchapter and the tax on employers imposed by section 1410 of such subchapter, and the provisions of law applicable to such taxes, shall apply with respect to remuneration paid after December 31, 1938, for service which, by reason of the enactment of this section, constitutes employment as so defined.

(b) Notwithstanding any other provision of law, no employer shall be liable for the tax on any employee, imposed by section 1400 of such subchapter (unless the employer collects such tax from the employee), with respect to service performed before the date of enactment of this Act which constitutes employment by reason of the enactment of this section, except to the extent that the employer has under his control at any time on or after the ninetieth day after such date amounts of remuneration earned at any time by the employee.

SEC. 906. If the Social Security Board finds with respect to any State that the first regular session of such State's legislature which began after June 25, 1938, and adjourned prior to thirty days after the enactment of this Act (1) had not made provision to authorize and direct the Secretary of the Treasury, prior to thirty days after the close of such session or July 1, 1939, whichever date is later, to transfer from its account in the Unemployment Trust Fund to the railroad unemployment insurance account in the Unemployment Trust Fund an amount equal to such State's "preliminary amount", or to authorize and direct the Secretary of the Treasury, prior to thirty days after the close of such session or January 1, 1940, whichever date is later, to transfer from its account in the Unemployment Trust Fund to the railroad unemployment insurance account in the Unemployment Trust Fund an amount equal to such State's "liquidating amount", or both; and (2) had not made provision for financing the administration of its unemployment-compensation law during the period with respect to which grants therefor under section 302 of the Social Security Act are required under section 13 of the Railroad Unemployment Insurance Act to be withheld by the Social Security Board, notwithstanding the provisions of section 13 (d) of the Railroad Unemployment Insurance Act the Social Security Board shall not begin to withhold from certification to the Secretary of the Treasury for payment to such State the amounts determined by it pursuant to section 302 of the Social Security Act and to certify to the Secretary of the Treasury for payment into the railroad unemployment-insurance account the amount so withheld from such State, as provided in section 13 of the Railroad Unemployment Insurance Act, until after the thirtieth day after the close of such State's first regular or special session of its legislature which begins after the date of enactment of this Act and after the Social Security Board finds that such State had not, by the thirtieth day after the close of such legislative session, authorized and directed the Secretary of the Treasury to transfer from such State's account in the Unemployment Trust Fund to the railroad unemployment insurance account in the Unemployment Trust Fund such State's "preliminary amount" plus interest thereon at 2½ per centum per annum from the date the amount thereof is determined by the Social Security Board, and such State's "liquidating amount" plus interest thereon at 2½ per centum per annum from the date the amount thereof is determined by the Social Security Board. Notwithstanding

*Ante*, p. 178.  
I. R. C. § 1426 (b).  
Provisions repealed.

49 Stat. 639.  
42 U. S. C., Supp.  
IV, § 1011 (b).  
*Ante*, p. 1381.  
*Ante*, p. 1383.

Employers not liable for taxes with respect to services previously not classified as employment.

Exception.

State legislatures failing to pass certain legislation for transfers of funds; action to be taken.

Failure to provide for administration of unemployment-compensation law.  
49 Stat. 626; *ante*, p. 1378.  
42 U. S. C., Supp. IV, § 502.  
52 Stat. 1110.  
42 U. S. C., Supp. IV, §§ 1107, 503; 45 U. S. C., Supp. IV, § 363.

the provisions of section 13 (e) of the Railroad Unemployment Insurance Act, any withdrawal by such State from its account in the Unemployment Trust Fund for purposes other than the payment of compensation of the whole or any part of amounts so withheld from certification with respect to such State pursuant to this Act shall be deemed to constitute a breach of the conditions set forth in sections 303 (a) (5) of the Social Security Act and 1603 (a) (4) of the Internal Revenue Code. The terms "preliminary amount" and "liquidating amount", as used herein, shall have the meanings defined in section 13 of the Railroad Unemployment Insurance Act.

49 Stat. 626.  
42 U. S. C., Supp.  
IV, § 583 (a).  
*Ante*, p. 1391.

Deductions from  
primary insurance  
benefits; maximum.  
*Ante*, p. 1367.

*Ante*, p. 1381.

Social Security  
Board, supervision by  
Federal Security Ad-  
ministrator.

Federal Savings and  
Loan Associations,  
employment taxes.  
48 Stat. 133.  
12 U. S. C. § 1464  
(h).  
*Ante*, pp. 1383, 1387.

Revenue Act of  
1939.  
Assumption of li-  
ability not recognized  
under prior Acts.  
Application of pro-  
visions without re-  
gard to exception in  
certain cases.  
*Ante*, p. 871.

Claims for refund of  
overpayments, time  
limitation.

*Ante*, p. 862.

Interest, restriction  
on payment.

Floor stocks ad-  
justment under Agri-  
cultural Adjustment  
Act.  
Time limitation for  
filing of claims.  
49 Stat. 1741.  
7 U. S. C., Supp.  
IV, § 642 (d).

SEC. 907. In addition to any other deductions made under section 203 of the Social Security Act, as amended, deductions shall be made from any primary insurance benefit or benefits to which an individual is entitled or from any other insurance benefit payable with respect to such individual's wages, until such deductions total 1 per centum of any wages paid him for services performed in 1939, and subsequent to his attaining age sixty-five, with respect to which the taxes imposed by section 1400 of the Internal Revenue Code have not been deducted by his employer from his wages or paid by such employer.

SEC. 908. All functions of the Social Security Board shall be administered by the Social Security Board under the direction and supervision of the Federal Security Administrator.

SEC. 909. Subsection (h) of section 5 of the Home Owners' Loan Act of 1933, as amended, is amended by inserting after the words "United States", where they first appear in such subsection, the following: "(except the taxes imposed by sections 1410 and 1600 of the Internal Revenue Code with respect to wages paid after December 31, 1939, for employment after such date)".

SEC. 910. (a) The provisions of section 213 (f) of the Revenue Act of 1939 shall apply without regard to the exception therein provided, if (1) the taxpayer in the determination referred to in such exception is a corporation, (2) such determination is by a decision of the Board of Tax Appeals or of a court, (3) under the law applicable to the taxable year in which the exchange occurred, the basis of the property, acquired upon the exchange from the taxpayer by the party assuming a liability of the taxpayer or acquiring the property subject to a liability, is the cost to such party of the property acquired upon the exchange, and (4) the taxpayer in pursuance of the plan of reorganization effected a complete liquidation immediately subsequent to the exchange.

(b) No overpayment determined to have been made for any taxable year by reason of the provisions of paragraph (a) of this section shall be refunded or credited unless a claim for refund is filed within the period of limitations otherwise provided by law for filing a claim for refund for such taxable year, or within one year from the date of enactment of the Revenue Act of 1939, whichever of such periods expires the later. No interest shall be allowed or paid on the amount of any overpayment refunded or credited by reason of the provisions of this section.

SEC. 911. Subsection (d) of section 602 of the Revenue Act of 1936, as amended, (relating to floor stocks adjustment) is amended by striking out "January 1, 1937", and inserting in lieu thereof "January 1, 1940".

Approved, August 10, 1939.

## [CHAPTER 667]

## JOINT RESOLUTION

To provide funds for the maintenance and operation of the Administrative Office of the United States Courts for the fiscal year 1940.

August 10, 1939  
[H. J. Res. 381]  
[Pub. Res., No. 50]

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the appropriations "Miscellaneous Salaries, United States Courts, 1940", and "Miscellaneous Expenses, United States Courts, 1940", are hereby made available to the Supreme Court of the United States in such amounts as may be determined necessary by said Court, not to exceed in the aggregate \$150,000, for the purpose of carrying out the provisions of the Act entitled "An Act to provide for the administration of the United States courts, and for other purposes".*

Approved, August 10, 1939.

U. S. Courts, Administrative Office.  
Appropriations made available for maintenance and operation.  
*Ante*, p. 906.

*Ante*, p. 1223.

## [CHAPTER 682]

## AN ACT

To admit the American-owned barges Prari and Palpa to American registry and to permit their use in coastwise trade.

August 10, 1939  
[H. R. 6664]  
[Public, No. 380]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provisions of section 27 of the Act of June 5, 1920, as amended (U. S. C., 1934 edition, Supp. IV, title 46, sec. 883), the barges Prari and Palpa, owned by the Southern Banana Corporation, a Delaware corporation, shall be admitted to American registry, and shall be entitled to engage in the coastwise trade and to transport merchandise between points in the United States, including Districts, Territories, and possessions thereof embraced within the coastwise laws.*

Approved, August 10, 1939.

Barges "Prari" and "Palpa."  
Admittance of, to American registry, etc.  
49 Stat. 442.  
46 U. S. C., Supp. IV, § 883.

## [CHAPTER 684]

## AN ACT

To allow the Home Owners' Loan Corporation to extend the period of amortization of home loans from fifteen to twenty-five years.

August 11, 1939  
[S. 628]  
[Public, No. 381]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the fourth sentence of section 4 (d) of the Home Owners' Loan Act of 1933, as amended, is amended by striking out before the semicolon the words "fifteen years" and substituting therefor the words "twenty-five years".*

*(b) That the sixth sentence of section 4 (d) of the Home Owners' Loan Act of 1933, as amended, is further amended to read as follows: "The Corporation may at any time grant an extension of time to any home owner for the payment of any installment of principal or interest owed by him to the Corporation or may at any time during the existence of the mortgage grant an extension and revision of its terms to provide for the amortization by means of monthly payment sufficient to retire the interest and principal within a period not to exceed twenty-five years from the date of its execution if in the judgment of the Corporation the circumstances of the home owner and the condition of the security justify such extension or revision."*

Approved, August 11, 1939.

Home Owners' Loan Act of 1933, amendments.  
48 Stat. 130.  
12 U. S. C. § 1463 (d); Supp. IV, § 1463 (d).  
Amortization period for loans, extension.  
Time extension for payment of installments.

Other adjustments.

## [CHAPTER 685]

## AN ACT

## To amend the Employers' Liability Act.

August 11, 1939  
[S. 1708]  
[Public, No. 382]

Employers' Liability Act, amendments.

35 Stat. 65.  
45 U. S. C. §§ 51, 54.

Liability of railroad for injuries or death of employees from negligence.

Employees entitled to benefits.

Assumption of risks of employment.

35 Stat. 66.  
45 U. S. C. § 56.

Time limit for commencing action.

Contracts, etc., preventing employees from giving information concerning accidents, void.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That sections 1 and 4 of the Act entitled "An Act relating to the liability of common carriers by railroad to their employees in certain cases", approved April 22, 1908 (35 Stat. 65; U. S. C., title 45, secs. 51 and 54), be, and they are hereby, amended to read as follows:

"SEC. 1. That every common carrier by railroad while engaging in commerce between any of the several States or Territories, or between any of the States and Territories, or between the District of Columbia and any of the States or Territories, or between the District of Columbia or any of the States or Territories and any foreign nation or nations, shall be liable in damages to any person suffering injury while he is employed by such carrier in such commerce, or, in case of the death of such employee, to his or her personal representative, for the benefit of the surviving widow or husband and children of such employee; and, if none, then of such employee's parents; and, if none, then of the next of kin dependent upon such employee, for such injury or death resulting in whole or in part from the negligence of any of the officers, agents, or employees of such carrier, or by reason of any defect or insufficiency, due to its negligence, in its cars, engines, appliances, machinery, track, roadbed, works, boats, wharves, or other equipment.

"Any employee of a carrier, any part of whose duties as such employee shall be the furtherance of interstate or foreign commerce; or shall, in any way directly or closely and substantially, affect such commerce as above set forth shall, for the purposes of this Act, be considered as being employed by such carrier in such commerce and shall be considered as entitled to the benefits of this Act and of an Act entitled 'An Act relating to the liability of common carriers by railroad to their employees in certain cases' (approved April 22, 1908), as the same has been or may hereafter be amended."

"SEC. 4. That in any action brought against any common carrier under or by virtue of any of the provisions of this Act to recover damages for injuries to, or the death of, any of its employees, such employee shall not be held to have assumed the risks of his employment in any case where such injury or death resulted in whole or in part from the negligence of any of the officers, agents, or employees of such carrier; and no employee shall be held to have assumed the risks of his employment in any case where the violation by such common carrier of any statute enacted for the safety of employees contributed to the injury or death of such employee."

SEC. 2. That the first sentence of section 6, of the Act entitled "An Act relating to the liability of common carriers by railroad to their employees in certain cases", approved April 22, 1908 (35 Stat. 65; U. S. C., title 45, sec. 56), be, and it is hereby, amended to read as follows:

"SEC. 6. That no action shall be maintained under this Act unless commenced within three years from the day the cause of action accrued."

SEC. 3. That the Act entitled "An Act relating to the liability of common carriers by railroad to their employees in certain cases", approved April 22, 1908, as amended (U. S. C., title 45, ch. 2), be, and it is hereby, amended by adding an additional section thereto as follows:

"SEC. 10. Any contract, rule, regulation, or device whatsoever, the purpose, intent, or effect of which shall be to prevent employees of any common carrier from furnishing voluntarily information to a

person in interest as to the facts incident to the injury or death of any employee, shall be void, and whoever, by threat, intimidation, order, rule, contract, regulation, or device whatsoever, shall attempt to prevent any person from furnishing voluntarily such information to a person in interest, or whoever discharges or otherwise disciplines or attempts to discipline any employee for furnishing voluntarily such information to a person in interest, shall, upon conviction thereof, be punished by a fine of not more than \$1,000 or imprisoned for not more than one year, or by both such fine and imprisonment, for each offense: *Provided*, That nothing herein contained shall be construed to void any contract, rule, or regulation with respect to any information contained in the files of the carrier, or other privileged or confidential reports.

Threats, intimidation, etc.

Penalty.

*Proviso.*  
Information in files of carrier, etc.

Saving clause.

"If any provision of this Act is declared unconstitutional or the applicability thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and the applicability of such provision to other persons and circumstances shall not be affected thereby."

Approved, August 11, 1939.

#### [CHAPTER 686]

##### AN ACT

To change the designations of the Abraham Lincoln National Park, in the State of Kentucky, and the Fort McHenry National Park, in the State of Maryland.

August 11, 1939  
[S. 2046]

[Public, No. 383]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Abraham Lincoln National Park, in the State of Kentucky, authorized by the Act of July 17, 1916 (39 Stat. 385), and the Fort McHenry National Park, in the State of Maryland, authorized by the Act of March 3, 1925 (43 Stat. 1109), shall hereafter be called and known as the "Abraham Lincoln National Historical Park", and the "Fort McHenry National Monument and Historic Shrine", respectively, and all moneys heretofore or hereafter appropriated for these areas under previous designations may be used in these areas as redesignated.

Abraham Lincoln National Park, Ky., and Fort McHenry National Park, Md.  
39 Stat. 385; 43 Stat. 1109.  
16 U. S. C. §§ 211-214, 437-440.  
Designations changed.

Approved, August 11, 1939.

#### [CHAPTER 687]

##### AN ACT

To authorize acquisition of complete title to the Puyallup Indian Tribal School property at Tacoma, Washington, for Indian sanatorium purposes.

August 11, 1939  
[S. 2141]

[Public, No. 384]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Interior be, and he is hereby, authorized to acquire, from the Puyallup Tribe of Indians of Washington, for Indian sanatorium purposes, tracts numbered 6 and 7, containing thirty-eight and fifty one-hundredths acres, including all tribal-owned improvements thereon, of the Indian addition to the city of Tacoma, Washington, established under the Act of March 3, 1893 (27 Stat. 633); title to be conveyed to the United States by such tribal officials as the Puyallup Tribal Council shall authorize by resolution and by such form of relinquishment or deed as the Secretary of the Interior may designate.

Puyallup Indians, Wash.  
Acquisition of land from, for Indian sanatorium purposes.

27 Stat. 633.  
Conveyance of title.

SEC. 2. In order to carry out the provisions of section 1 hereof there is hereby authorized to be appropriated, out of any money in the Treasury of the United States not otherwise appropriated, the

Appropriation authorized.

Distribution to members of tribe.

*Proviso.*  
Acceptance an extinguishment of interest.

Payment not a bar to hospitalization, etc.

sum of \$228,525, which sum shall be distributed by the Secretary of the Interior in equal shares to the members of the Puyallup Indian Tribe, determined in accordance with the constitution and bylaws of the tribe approved May 13, 1936, as of the date of the passage of this Act, under such rules and regulations as he may prescribe: *Provided*, That acceptance by each individual, or by his or her natural or legal guardian or heirs, of the pro rata share of the amount hereby authorized to be appropriated shall be recognized as completely extinguishing any and all right or interest such member of the tribe might have had in said property.

SEC. 3. The fulfillment of the provisions of section 2 hereof shall not bar the hospitalization of or medical attention to members of the Puyallup Tribe at the Indian sanatorium referred to in section 1.

Approved, August 11, 1939.

#### [CHAPTER 688]

#### AN ACT

To provide for a national census of housing.

August 11, 1939

[S. 2240]

[Public, No. 385]

National census of housing.

Director of the Census to conduct, in 1940, as part of population inquiry.

Collection of supplementary statistics.

Application of existing provisions, etc.

46 Stat. 21.  
13 U. S. C. ch. 4.

Appropriation authorized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That to provide information concerning the number, characteristics (including utilities and equipment), and geographical distribution of dwelling structures and dwelling units in the United States the Director of the Census shall take a census of housing in each State, the District of Columbia, Hawaii, Puerto Rico, the Virgin Islands, and Alaska, in the year 1940 in conjunction with, at the same time, and as a part of the population inquiry of the sixteenth decennial census. The Director of the Census shall be authorized to collect such supplementary statistics (either in advance of or after the taking of such census) as are necessary to the completion thereof.

SEC. 2. All of the provisions, including penalties, of the Act providing for the fifteenth and subsequent decennial censuses, approved June 18, 1929 (46 Stat. 21; U. S. C., Supp. VII, title 13, ch. 4), shall apply to the taking of the census provided for in section 1 of this Act.

SEC. 3. For the purpose of carrying out the provisions of this Act, there is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, not to exceed \$8,000,000 to cover the estimated cost of such census.

Approved, August 11, 1939.

#### [CHAPTER 689]

#### AN ACT

To amend subsection (n), section 77, of the Bankruptcy Act, as amended, concerning payment of preferred claims.

August 11, 1939

[S. 2654]

[Public, No. 386]

Bankruptcy Act of 1898, amendment.

49 Stat. 923.

11 U. S. C., Supp. IV, § 205 (n).

Reorganization of railroad corporations. Claims for personal injuries to employees, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the first sentence of section 77, subsection (n), of the Bankruptcy Act, as amended, be further amended to read as follows:

"(n) In proceedings under this section, and in equity receiverships of railroad corporations now or hereafter pending in any court of the United States, claims for personal injuries to employees of a railroad corporation, claims of personal representatives of deceased employees of a railroad corporation, arising under State or Federal laws, and claims now or hereafter payable by sureties upon super-

seedeas, appeal, attachment, or garnishment bonds, executed by sureties without security, for and in any action brought against such railroad corporation or trustees appointed pursuant to this section, shall be preferred and paid out of the assets of such railroad corporation as operating expenses of such railroad."

Approved, August 11, 1939.

[CHAPTER 690]

AN ACT

To facilitate the execution of arrangements for the exchange of surplus agricultural commodities produced in the United States for reserve stocks of strategic and critical materials produced abroad.

August 11, 1939

[S. 2697]

[Public, No. 387]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding any other provision of law, whenever the President, by and with the advice and consent of the Senate, has concluded a treaty involving the exchange of surplus agricultural commodities produced in the United States which are held under loans made or made available by the Commodity Credit Corporation for stocks of strategic and critical materials produced abroad, the Commodity Credit Corporation is authorized, upon terms and conditions prescribed by the Secretary of Agriculture, to accept such strategic and critical materials in exchange for such surplus agricultural commodities; and for the purpose of such exchange the Secretary of War, the Secretary of the Navy, and the Secretary of the Interior acting jointly through the agency of the Army and Navy Munitions Board shall determine which materials are strategic and critical and the quantity and quality of such materials. In order to carry out the provisions of this Act, the Commodity Credit Corporation is authorized, upon terms and conditions prescribed by the Secretary of Agriculture, to procure, convey, transport, handle, store, maintain, or rotate such surplus agricultural commodities, and such reserve stocks of strategic and critical materials, as may be necessary to accomplish the purposes of this Act.

The Commodity Credit Corporation is authorized and directed to transfer to warehouses in or near cotton manufacturing centers in New England not to exceed three hundred thousand bales of cotton, to which it now has title or may hereafter acquire title, having regard for the grades and staples customarily required by manufacturers in that area: *Provided*, That all necessary costs in connection with such transfer will not result in additional net cost to the Corporation.

In determining specific cotton to be exchanged under this Act, the determination shall be made by sampling and selection at the place where the cotton is stored on the date of ratification of a treaty providing for such exchange, and no cotton shall be exchanged under such treaty which, after such date, is transported to another place and there sampled and selected. Such reserve stocks of strategic and critical materials shall be stored on military or naval reservations or in other locations approved by the Secretary of War and the Secretary of the Navy. The Commodity Credit Corporation is authorized to transfer such reserve stocks of strategic and critical materials, upon such terms and conditions as the Secretary of Agriculture shall approve, to any other governmental agency. Such reserve stocks or strategic and critical materials shall be made available or disposed of by the Commodity Credit Corporation or other governmental agency only upon order of the President in accordance with the terms of the

Surplus agricultural commodities.

Exchange of, for reserve stocks of strategic, etc., materials produced abroad.

Determination of strategic, etc., materials; quantity and quality.

Duties of Commodity Credit Corporation.

Warehousing of cotton.

*Provided.*  
Cost restriction.

Determination of specific cotton to be exchanged; method.

Storage of reserve stocks of strategic, etc., materials.

Transfer to other governmental agencies.

Disposition.



Replacement. applicable treaty; when necessary to prevent deterioration, the Commodity Credit Corporation or other governmental agency is authorized to replace those quantities of the reserve stocks of such strategic and critical materials subject to deterioration with equivalent quantities of the same materials. The funds now or hereafter made available to the Commodity Credit Corporation are hereby made available to carry out the purposes of this Act. There is hereby authorized to be appropriated such additional sums as may be required to carry out the provisions of this Act. All funds for carrying out the provisions of this Act shall be available for allotment to bureaus and offices of the Department of Agriculture, and for transfer to such other agencies of the Federal Government as the Secretary of Agriculture may request to cooperate or assist in carrying out the provisions of this Act.

Funds available.

Appropriation authorized.

Approved, August 11, 1939.

## [CHAPTER 691]

## AN ACT

August 11, 1939  
[S. 2745]

[Public, No. 388]

To authorize the Commissioners of the District of Columbia to make regulations to prevent and control the spread of communicable and preventable diseases.

District of Columbia.  
Regulations for prevention of spread of certain diseases, authorized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Commissioners of the District of Columbia are hereby authorized and empowered to promulgate and enforce all such reasonable rules and regulations as they may deem necessary to prevent and control the spread of communicable and preventable diseases in the District of Columbia.

Penalty for violation of regulation.

SEC. 2. The said Commissioners are authorized to prescribe a reasonable penalty of fine, not to exceed \$100, or of imprisonment, not to exceed thirty days, or both, for the violation of any rule or regulation promulgated under the authority of this Act, and all prosecutions for violations of such rules and regulations shall be in the police court of the District of Columbia in the name of the District of Columbia upon information filed by the corporation counsel of the District of Columbia or any of his assistants.

Jurisdiction.

Effective date.  
Repeal of designated Acts.

SEC. 3. This Act shall take effect from and after ninety days after its passage and approval, and from and after the expiration of said period the following Acts are hereby repealed:

29 Stat. 635.

An Act entitled "An Act to prevent the spread of contagious diseases in the District of Columbia", approved March 3, 1897 (29 Stat. 635);

34 Stat. 889.

An Act entitled "An Act for the prevention of scarlet fever, diphtheria, measles, whooping cough, chicken pox, epidemic cerebrospinal meningitis, and typhoid fever in the District of Columbia", approved February 1, 1907 (34 Stat. 889);

35 Stat. 126.

An Act entitled "An Act to provide for registration of all cases of tuberculosis in the District of Columbia, for free examination of sputum in suspected cases, and for preventing the spread of tuberculosis in said District", approved May 13, 1908 (35 Stat. 126); and

43 Stat. 1001.

An Act entitled "An Act for the prevention of venereal diseases in the District of Columbia, and for other purposes", approved February 26, 1925 (43 Stat. 1001).

Approved, August 11, 1939.

## [CHAPTER 692]

## AN ACT

To amend an Act entitled "An Act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes", approved April 23, 1924.

August 11, 1939

[S. 2778]

[Public, No. 389]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Act of Congress entitled "An Act to provide for a tax on motor-vehicle fuels sold within the District of Columbia, and for other purposes", approved April 23, 1924, be amended by striking from the last sentence of section 10 thereof the word "thirty" and inserting in lieu thereof the word "sixty".

Approved, August 11, 1939.

Motor-vehicle fuel  
taxes, D. C.  
Time limitation for  
filing application for  
refund.  
43 Stat. 108.

## [CHAPTER 693]

## AN ACT

To provide for the transfer of United States Employment Service records, files, and property in local offices to the States.

August 11, 1939

[H. R. 4108]

[Public, No. 390]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That for the purpose of assisting the State employment services established and maintained in accordance with the terms of the Act of June 6, 1933, entitled "An Act to provide for the establishment of a National Employment System and for cooperation with the States in the promotion of such system, and for other purposes", as amended (48 Stat. 113; 49 Stat. 216), the Federal Security Administrator is hereby authorized without payment of compensation to transfer and assign to the States in which it is located all property, including records, files, and office equipment, used by the United States Employment Service in its administrative and local employment offices in the respective States, except the records, files, and property used in the Veterans' Service and in the Farm Placement Service maintained under the said Act, as soon as such States establish and maintain systems of public employment offices, in accordance with the terms of sections 4, 5, and 8 of the said Act and the regulations promulgated thereunder.

Approved, August 11, 1939.

United States Em-  
ployment Service.  
Transfer of records  
and property in local  
offices to States.

48 Stat. 113; 49 Stat.  
216.  
29 U. S. C., ch. 4B;  
Supp. IV, ch. 4B.

Exception.

## [CHAPTER 694]

## AN ACT

Authorizing and providing for the construction of additional facilities on the Canal Zone for the purposes of more adequately providing for the defense of the Panama Canal and for increasing its capacity for the future needs of interoceanic shipping.

August 11, 1939

[H. R. 5129]

[Public, No. 391]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the improvement and enlargement of the capacity of the Panama Canal in the interests of defense and interoceanic commerce is hereby authorized to be prosecuted by the Governor of the Panama Canal under the supervision of the Secretary of War, substantially in accordance with the plans set forth and recommended in the report of the Governor of the Panama Canal, dated February 24, 1939, and published as House Document Numbered 210 and including such appurtenant structures, works, and facilities, and enlargements or improvements of existing channels, structures, works, and facilities as may be deemed

Panama Canal,  
C. Z.  
Improvement and  
enlargement of ca-  
pacity of, authorized.

Appropriation au-  
thorized.  
*Providos.*  
Citizenship require-  
ments, new personnel.

Initial appropria-  
tion.

Employees author-  
ized.

*Providos.*  
Compensation.

Excess rates, restric-  
tion.

Expert assistance.

Contracts without  
advertising.

Auxiliary plants  
and facilities.

Panama Railroad  
Company, use of fa-  
cilities and services.

Purchases by Pana-  
ma Canal to be made  
after advertising; ex-  
ceptions.

necessary at a total cost not to exceed \$277,000,000, which is hereby authorized to be appropriated for the purpose: *Provided, however,* That all new personnel in such construction work occupying skilled, technical, clerical, administrative, and supervisory positions shall be citizens of the United States: *Provided further,* That the initial appropriation for the fiscal year 1940 shall not exceed \$15,000,000. For the purposes aforesaid, the Governor of the Panama Canal is authorized (a) to employ such persons as he may deem necessary and to fix their compensation: *Provided,* That the compensation of such persons shall not be lower than the compensation paid for the same or similar services to other employees of the Panama Canal: *Provided further,* That rates of compensation in excess of those authorized by law for other employees of the Panama Canal shall not be paid without the approval of the Secretary of War: *And provided further,* That the Governor of the Panama Canal with the approval of the Secretary of War is authorized to engage under agreement when deemed necessary expert assistance in the various arts and sciences upon terms and rates of compensation for services and incidental expenses in excess of the maximum compensation provided by law for employees of the Panama Canal; (b) to authorize the making of contracts without the advertisement hereinafter prescribed, with architectural or engineering corporations, firms, or individuals for the production and delivery of designs, plans, drawings, and specifications; (c) to authorize the making of any and all contracts necessary for the prosecution of the work herein authorized; (d) to provide for the establishment and operation of such auxiliary plants and facilities in connection with the work as may be necessary or desirable; (e) to utilize any of the facilities or services of the Panama Railroad Company upon such terms and conditions as may be approved by the Secretary of War; and (f) in general to do all things proper and necessary to insure the prompt and efficient completion of the work herein authorized.

Notwithstanding any other provision of law, and except as otherwise provided in this Act, all purchases and contracts for supplies or for services, except for personal services, shall be made by the Panama Canal after advertising, in such manner and at such times, sufficiently in advance of opening of bids, as the Governor or his duly authorized representative in the United States shall determine to be adequate to insure notice and opportunity for competition. Such advertisement shall not be required, however, when (a) an emergency requires immediate delivery of the supplies or performance of the services; or (b) repair parts, accessories, supplemental equipment, or services are required for supplies or services previously furnished or contracted for; or (c) the aggregate amount involved in any purchase of supplies or procurement of services does not exceed \$500; in which cases such purchases of supplies or procurement of services may be made in the open market in the manner common among businessmen. In comparing bids and in making awards the Governor or his duly authorized representative in the United States may consider such factors as relative quality and adaptability of supplies or services, the bidder's financial responsibility, skill, experience, record of integrity in dealing, and ability to furnish repairs and maintenance services, the time of delivery or performance offered, and whether the bidder has complied with the specifications.

Approved, August 11, 1939.

## [CHAPTER 695]

## AN ACT

To authorize the Secretary of the Interior to contract with the State Water Conservation Board of Montana and the Tongue River Water Users' Association for participation in the costs and benefits of the Tongue River Storage Reservoir project for the benefit of lands on the Tongue River Indian Reservation, Montana.

August 11, 1939  
[H. R. 5506]  
[Public, No. 392]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Interior be, and he is hereby, authorized and directed to execute a contract with the Tongue River Water Users' Association, a Montana corporation, and the State Water Conservation Board of the State of Montana, providing for the acquiring of a right to the use annually of seven thousand five hundred acre-feet of water from the Tongue River Reservoir project for the irrigation of lands on the Tongue River Indian Reservation, Montana, now without an adequate supply of water, and for the payment therefor of a proper proportionate share of the construction costs of the project: *Provided*, That the cost to the United States shall not exceed a total amount of \$360,750, which amount, or so much thereof as may be necessary, is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, to be paid in not to exceed thirty-seven annual installments beginning on December 15, 1939, and continuing thereafter until the entire construction costs properly assessable against the Indian lands benefited shall have been paid: *Provided further*, That said contract shall also make provision for payment of the annual operation and maintenance charges properly assessable against the United States on account of its participation in the benefits of said project, and the necessary money to pay such operation and maintenance charges is hereby authorized to be appropriated out of any money in the Treasury not otherwise appropriated.

Tongue River Indian Reservation, Mont.  
Execution of contract for water for irrigating lands on, authorized.

Payment; computation.  
*Proviso*.  
Cost limitation.  
Appropriation authorized.

Operation and maintenance charges, etc.

SEC. 2. Appropriations made for the purpose of this Act shall be reimbursed to the United States under regulations to be prescribed by the Secretary of the Interior.

Reimbursement.

Approved, August 11, 1939.

## [CHAPTER 696]

## AN ACT

To authorize the Federal Surplus Commodities Corporation to purchase and distribute surplus products of the fishing industry.

August 11, 1939  
[H. R. 5581]  
[Public, No. 393]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any part of the funds not to exceed \$1,500,000 per year, transferred by the Secretary of Agriculture to the Federal Surplus Commodities Corporation created under and to carry out the provisions of section 32 of the Act of August 24, 1935 (49 Stat. 774), as amended, may also be used by such Corporation for the purpose of diverting surplus fishery products (including fish, shellfish, mollusks, and crustacea) from the normal channels of trade and commerce by acquiring them and providing for their distribution through Federal, State, and private relief channels: *Provided*, That none of the funds made available to the Federal Surplus Commodities Corporation under this Act shall be used to purchase any of the commodities designated in this Act which may have been produced in any foreign country. The provisions of law relating to the acquisition of materials or supplies for the United States shall not apply to the acquisition of commodities under this Act.

Surplus fishery products.  
Purchase of, and distribution through relief channels.  
Funds available; limitation.  
49 Stat. 774.  
7 U. S. C., Supp. IV, § 612c.

*Proviso*.  
Purchase of foreign products forbidden.

Provisions of law inapplicable.

Maintenance in separate fund of designated sums transferred; uses.

SEC. 2. (a) From the fund authorized to be transferred by section 1 hereof, the Secretary of Agriculture is authorized to transfer to the Secretary of the Interior sums as follows to be maintained in a separate fund, \$75,000, which shall be used by the Secretary of the Interior to promote the free flow of domestically produced fishery products in commerce by conducting a fishery educational service; and \$100,000, which shall be used by the Secretary of the Interior to develop and increase markets for fishery products of domestic origin.

Approved, August 11, 1939.

[CHAPTER 697]

AN ACT

To authorize the addition of certain lands to the Wenatchee National Forest.

August 11, 1939  
[H. R. 5747]  
[Public, No. 394]

Wenatchee National Forest, Wash.  
Addition of certain lands authorized.

42 Stat. 465; 43 Stat. 1090.  
16 U. S. C. §§ 485, 486.

Inclusion of public lands.

Prior rights not affected.

Mineral locations, etc.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That any of the following-described lands which are found by the Secretary of Agriculture to be chiefly valuable for national-forest purposes may be exchanged under the provisions of the Act entitled "An Act to consolidate national forest lands", approved March 20, 1922, as amended, and upon acceptance of title therefor shall become parts of the Wenatchee National Forest: Township 25 north, range 21 east, Willamette meridian, section 5; section 6, north half. Township 26 north, range 21 east, Willamette meridian, sections 1 to 8, inclusive; section 17, west half; sections 18 and 19; section 20, west half; section 29, west half; sections 30 and 31. Township 27 north, range 21 east, Willamette meridian, sections 19 to 36, inclusive.

SEC. 2. All public lands within the areas described in section 1 are hereby added to the Wenatchee National Forest and shall hereafter become subject to all laws and regulations applicable to national forests. The addition of such lands shall not affect any entry or vested right under the public land laws initiated prior to the passage of this Act. Lands received in exchange or purchased under the provisions of this Act shall be open to mineral locations, mineral development, and patent, in accordance with the mining laws of the United States.

Approved, August 11, 1939.

[CHAPTER 698]

AN ACT

Providing for the incorporation of certain persons as Group Hospitalization, Inc.

August 11, 1939  
[H. R. 6266]  
[Public, No. 395]

Group Hospitalization, Inc.  
Incorporators.

Corporate name.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That Arthur C. Christie, doctor of medicine; Major General Charles R. Reynolds; Mrs. Joshua Evans, Junior; Joseph H. Himes; General Frank T. Hines; Frank R. Jelleff; Howard W. Kacy; Mark Lansburgh; Admiral Ross T. McIntire; George H. O'Connor; Sidney F. Taliaferro; Charles S. White, doctor of medicine; Roger J. Whiteford; Thomas W. Brahany; and E. Barrett Prettyman, and their successors to be selected in the manner hereinafter declared, be, and they hereby are, incorporated and made a body politic and corporate, by the name of "Group Hospitalization, Inc.", and by that name may contract and be contracted with, sue and be sued, plead and be impleaded in any court of law or equity of competent jurisdiction, and may have and use a common seal.

SEC. 2. Said corporation is hereby authorized and empowered (a) to enter into contracts with individuals or groups of individuals to provide for hospitalization of such individuals, upon payment of specified rates or premiums, and to issue to such individuals appropriate certificates evidencing such contracts; (b) to enter into contracts with hospitals for the care and treatment of such individuals, in accordance with the terms of such certificates; and (c) to cooperate, consolidate, or contract with groups or organizations interested in promoting and safeguarding the public health.

Powers.

SEC. 3. Said corporation shall not be conducted for profit, but shall be conducted for the benefit of the aforesaid certificate holders. The business and affairs of this corporation shall be conducted by its board of trustees, who shall have full power and authority in the premises, including authority to provide for all expenses incident to the conduct and management of its business and affairs. The number of trustees shall be fixed by the bylaws, but shall be at least fifteen, and shall be maintained so as to be divisible into three equal classes. The incorporators are hereby declared to be the first board of trustees of this corporation, and their respective terms of office shall be as follows: General Frank T. Hines, Sidney F. Taliaferro, and Frank R. Jelleff, five years; Howard W. Kacy, Admiral Ross T. McIntire, and Arthur C. Christie, four years; Major General Charles R. Reynolds, Joseph H. Himes, and Charles S. White, three years; Mrs. Joshua Evans, Junior, Mark Lansburgh, and George H. O'Connor, two years; Roger J. Whiteford, Thomas W. Brahany, and E. Barrett Prettyman, one year. Upon the expiration of the respective terms of said trustees, their successors shall be appointed as follows: One by the Commissioners of the District of Columbia, one by the Medical Society of the District of Columbia, and one by a group consisting of the president or chairman of the boards of trustees or other designated individual of each hospital with which the corporation shall have contracts for hospitalization, at a meeting called thirty days in advance by the president of Group Hospitalization, Inc. If either of the other two groups aforesaid shall fail to name their respective quotas of trustees at any time, then such trustees shall be selected by the Commissioners of the District of Columbia. If the number of trustees shall be increased, each of the appointing authorities heretofore designated shall increase, proportionately, the number of trustees to be appointed by such appointing authority. Each of the trustees to be appointed as aforesaid shall serve for five years.

Nonprofit business, conducted for benefit of certificate holders.

Trustees.

Incorporators declared first board of trustees; terms of office.

Appointment of successors.

SEC. 4. The first board of trustees shall meet within ten days after the approval of this Act and elect a president, vice president, secretary and treasurer, and from time to time such additional officers as the bylaws may provide, and also transact such other business as may properly come before them, including the preparation for approval, from time to time, of the necessary bylaws for the proper conduct of the corporation. The treasurer shall give bond to the corporation with sufficient surety, in such penalty as the trustees determine, for the faithful discharge of his duty. Thereafter the meetings of the trustees shall be held at such time and place as provided in the bylaws. In case of vacancy in the board of trustees caused otherwise than by expiration of term of office, such vacancy shall be filled by the remaining trustees for the unexpired term of such former trustee.

Meetings, officers, etc.

SEC. 5. The corporation shall file with the superintendent of insurance of the District of Columbia a certified copy of this charter, of its bylaws, and copies of the forms of contracts to be offered to the certificate holders, whereupon the company may commence operations under this charter. The corporation shall also file annually with said superintendent of insurance a statement disclosing the operations of

Certified copy of charter to be filed with superintendent of insurance, D. C.

Report.

Improper conduct.	the corporation for the preceding year, and its financial position. If said superintendent shall have reason to believe that this corporation is not complying with the provisions of this charter, or is being operated for profit, or fraudulently conducted, he shall cause to be instituted the necessary proceedings to enjoin such improper conduct, or to dissolve this corporation.
Investments.	SEC. 6. The funds of this company may be invested only in securities in which the funds of insurance companies may be invested, as provided by the laws of the District of Columbia.
Application of D. C. laws.	SEC. 7. This corporation shall not be subject to the provisions of statutes regulating the business of insurance in the District of Columbia, but shall be exempt therefrom unless specifically designated therein.
Purposes declared; property tax-exempt; exception.	SEC. 8. This corporation is hereby declared to be a charitable and benevolent institution, and all of its funds and property shall be exempt from taxation other than taxes on real estate.
Corporate authority.	SEC. 9. The corporation is hereby authorized and empowered to take over, carry out, and assume all contracts, obligations, assets, and liabilities of a corporation heretofore organized and now doing business in the District of Columbia under the name of Group Hospitalization, Inc.
Right to amend or repeal reserved.	SEC. 10. This Act may be altered, amended, or repealed at the pleasure of the Congress of the United States of America.
	Approved, August 11, 1939.

## [CHAPTER 699]

## AN ACT

August 11, 1939 [H. R. 6634] [Public, No. 396]	Amending previous flood-control Acts, and authorizing certain preliminary examinations and surveys for flood control, and for other purposes.
Flood control. 50 Stat. 877. 33 U. S. C., Supp. IV, § 701g. Removal of debris, etc.	<i>Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,</i> That section 2 of the Flood Control Act of August 28, 1937, is hereby amended to read as follows: "That the Secretary of War is hereby authorized to allot not to exceed \$300,000 from any appropriations heretofore or hereafter made for any one fiscal year for flood control, for removing accumulated snags and other debris and clearing channels in navigable streams and tributaries thereof when in the opinion of the Chief of Engineers such work is advisable in the interest of flood control: <i>Provided</i> , That not more than \$25,000 shall be allotted for this purpose for any single tributary from the appropriations for any one fiscal year."
Proviso. Restriction.	SEC. 2. Funds heretofore or hereafter appropriated for construction and maintenance of flood-control works by the War Department shall be available for expenditure by the War Department in making examinations and surveys for flood control heretofore or hereafter authorized, or in preparing reports in review thereof as authorized by law, in addition to funds heretofore authorized to be expended for such purposes by the War Department.
Funds made available for surveys, preparing reports, etc.	SEC. 3. That section 2 of the River and Harbor Act of June 20, 1938, is hereby made applicable to authorized works of flood control.
52 Stat. 804. 33 U. S. C., Supp. IV, § 558b. Exchange of land or other property. Buffalo Bayou and tributaries, Tex. 52 Stat. 802.	SEC. 3a. Buffalo Bayou and its tributaries, Texas; the project set forth in House Document Numbered 456, Seventy-fifth Congress, and authorized by Public Law Numbered 685, Seventy-fifth Congress, is hereby modified in accordance with the provisions of section 2 of Public Law Numbered 761, Seventy-fifth Congress, and all requirements of local cooperation inconsistent with said section 2 are hereby eliminated.
52 Stat. 1215. 33 U. S. C., Supp. IV, § 701c (note). Ohio River Basin. 52 Stat. 1217.	SEC. 4. The flood-control plan for the Ohio River Basin authorized in section 4 of the Act of Congress June 28, 1938 (Public, Numbered

761, Seventy-fifth Congress), shall include the Muskingum River Valley Dams and reservoirs as set forth in the official plan of the Muskingum Watershed Conservancy District and the provisions of section 2 of the said Act shall apply thereto: *Provided, however*, That the reimbursements in connection with the Muskingum project shall include, in addition to payments to landowners, the reasonable expenses of acquiring lands, easements, or rights-of-way heretofore transferred to the United States, as well as those hereafter transferred and the reasonable expenditures made in acquiring lands or rights-of-way transferred to railroads or other utilities in connection with the relocation of such facilities other than highways. Such reimbursements shall be made from funds heretofore or hereafter appropriated and shall not exceed actual expenditures made by the Muskingum Watershed Conservancy District that are deemed reasonable by the Secretary of War and the Chief of Engineers nor include any expenditures for the relocation of highways nor any funds provided by the State of Ohio nor by any State or Federal agency other than the Muskingum Watershed Conservancy District: *Provided further*, That the Secretary of War is authorized to pay to said district forthwith on the passage of this Act, the sum of \$1,500,000, on verification of the fact that reimbursable expenditures in such amount have been made by the district, and on the agreement of the district, duly certified to the Secretary of War, that it will proceed immediately to convey and transfer any assets acquired through such expenditures not already conveyed, but such payment may be made prior to the actual transfer of title to lands, easements, rights-of-way, and other property: *And provided further*, That the Muskingum Watershed Conservancy District is hereby relieved of any obligation to maintain and operate the dams.

SEC. 5. Section 2 of Public Law Numbered 761, Seventy-fifth Congress, is hereby amended by adding the following: "*Provided further*, That in all cases of the acquisition hereunder by the United States from the Los Angeles County Flood Control District or the Muskingum Watershed Conservancy District of lands, easements, or rights-of-way, wherein the written opinion of the Attorney General in favor of the validity of the title to such lands, easements, or rights-of-way is or may be required or authorized by law, the Attorney General may, in his discretion, base such opinion upon a certificate of title of the district from which said lands, easements, or rights-of-way are to be acquired accompanied by an agreement, duly executed by the district in conformity with the constitutions and laws of the State where the district in question is situated to indemnify the United States against all claims, liabilities, loss, expenses, and attorneys' fees of whatsoever kind or nature, resulting from or arising out of any defect or defects whatsoever in the title to any such lands, easements, or rights-of-way so conveyed to the United States, including all just compensation, costs, and expenses which may be incurred in any condemnation proceeding deemed necessary and instituted by the United States in order to perfect title to any such lands, easements, or rights-of-way."

SEC. 6. The Secretary of War is hereby authorized and directed to cause to be performed under the supervision of the Chief of Engineers preliminary examinations and surveys for flood control, including floods aggravated by or due to tidal effect, at the following-named localities, and the Secretary of Agriculture is authorized and directed to cause preliminary examinations and surveys for run-off and water-flow retardation and soil-erosion prevention on the watersheds of such localities; the cost thereof to be paid from appropriations heretofore or hereafter made for such purposes: *Provided*, That the surveys authorized to be performed under the direction

Inclusion of Muskingum River Valley Dams, etc.

*Provisos.*  
Reimbursements;  
sums included.

Restriction.

Conditional payment to district.

District relieved of obligation to operate dams.

52 Stat. 1215.  
33 U. S. C., Supp.  
IV, § 701c (note).  
Validity of title to  
lands, easements, etc.,  
acquired.

Basis of opinion.

Preliminary flood-control examinations, etc.

Surveys for soil-erosion prevention.

*Provisos.*  
Supervision.



Authority of Federal Power Commission not impaired.  
52 Stat. 1215.  
33 U. S. C., Sapp. IV, ch. 15.  
Surveys limited to works designated.

Supplemental reports restricted.

Adoption of project by law, requirement.

Connecticut River, Mass.

Green River, Mass.  
Bellows Pond and Canada Lake drainage area, N. Y.  
Owasco Inlet, etc., and tributaries, N. Y.

Mohawk River, N. Y.  
Delaware River, Morrisville, Pa.

Neshaminy Creek, Bucks Co., Pa.  
Pequest River and tributaries, N. J.

Lumber River and tributaries, N. C. and S. C.  
Kissimmee River, Fla.

Black River, La.  
Purdy Reservoir on Rush Creek, Okla.  
Dirty Creek, Okla.  
Mangum-Salt Fork, Okla.  
Fairfax-Kaw City, Okla.  
Leaf and Bowie Rivers, Miss.  
Hobolochito River, Miss.

Hatchie River, Miss. and Tenn.  
North Fork, Clinch River, Va. and Tenn.  
Auglaize, etc., Rivers, Ohio.

Whiteoak and Straight Creeks, Ohio.  
Portage River, Ohio.  
Kentucky River, Ky.  
Wabash River and tributaries, Ind. and Ill.  
Mississinewa River and tributaries, Ind.  
Plum River, Ill.  
Illinois River and tributaries, Ill.

Edwards River, Ill.

of the Secretary of War as well as all duties performed by the Chief of Engineers under the direction of the Secretary of War shall be functions of the Engineer Corps, United States Army, and its head, to be administered under the direction of the Secretary of War and the supervision of the Chief of Engineers except as otherwise specifically provided by Congress: *Provided*, That the power and authority conferred by the Flood Control Act of June 28, 1938, and previously conferred, upon the Federal Power Commission shall remain in full force and effect: *Provided*, That no preliminary examination, survey, project, or estimate for new works other than those designated in this or some prior Act or joint resolution shall be made: *Provided further*, That after the regular or formal reports made as required by law on any examination, survey, project, or work under way or proposed, are submitted, no supplemental or additional report or estimate shall be made unless authorized by law: *And provided further*, That the Government shall not be deemed to have entered upon any project for the improvement of any waterway or harbor mentioned in this Act until the project for the proposed work shall have been adopted by law:

Connecticut River in the State of Massachusetts, between the Hatfield town line above Coolidge Bridge and the Narrows at Mount Tom.

Green River, Massachusetts.

Bellows Pond and Canada Lake drainage area, Fulton County, New York.

Owasco Inlet, Owasco Outlet, and their tributaries, Cayuga and Tompkins Counties, New York; Crane Brook, Jericho Brook, and Cold Spring Brook in Cayuga County, New York.

Mohawk River, New York.

Delaware River and its tributaries at, and in the vicinity of, Morrisville, Bucks County, Pennsylvania.

Neshaminy Creek, Bucks County, Pennsylvania.

Pequest River and its tributaries in Warren and Sussex Counties, New Jersey.

Lumber River and its tributaries, North Carolina and South Carolina.

Kissimmee River, Florida, including regulation and stabilization of water levels.

Black River, Catahoula and Concordia Parishes, Louisiana.

Purdy Reservoir on Rush Creek, Oklahoma.

Dirty Creek, Muskogee County, Oklahoma.

Mangum-Salt Fork, Greer County, Oklahoma.

Fairfax-Kaw City, Osage County, Oklahoma.

Leaf and Bowie Rivers and their tributaries, Mississippi.

Hobolochito River, Mississippi.

Hatchie River and tributaries, Mississippi and Tennessee.

North Fork of the Clinch River, Virginia and Tennessee.

Auglaize, Blanchard and Ottawa Rivers and their tributaries, Ohio.

Whiteoak and Straight Creeks, Ohio.

Portage River and its tributaries, with particular reference to the Middle Branch, in Ohio.

Kentucky River and its tributaries, Kentucky.

Wabash River and its tributaries, Indiana and Illinois.

Mississinewa River and its tributaries, Indiana.

Plum River and its tributaries, Carroll County, Illinois.

Illinois River and its tributaries, including both creeks having the name "Crow", Gimlet Creek, Farm Creek, and Ten Mile Creek, in Illinois.

Edwards River, Illinois.

Knife River and its tributaries, North Dakota.  
 Goose River and its tributaries, North Dakota.  
 South Platte River and its tributaries, Colorado, Wyoming, and Nebraska.

Neskowin Creek, Oregon.

Skokomish River, Mason County, Washington.

Skykomish River, Washington.

Waimea, Hanapepe, Wailua, and Hanalei Rivers and their tributaries and Kapaa Swamp on the island of Kauai, Territory of Hawaii.

Anahulu River and other streams and tributaries in the Waialua District and the Kawainui Swamp in the Kailua District, island of Oahu, Territory of Hawaii.

Coamo, La Plata, Patillas, Anasco, Toro Negro, and Toa Vaca Rivers and their tributaries on the island of Puerto Rico.

Wailoa Stream and its tributaries on the island of Hawaii, Territory of Hawaii.

SEC. 7. That the Alamogordo Dam and Reservoir on the Pecos River, New Mexico, is hereby authorized and declared to be for the purposes of controlling floods, regulating the flow of the Pecos River, providing for storage and for delivery of stored waters, for the reclamation of lands, and other beneficial uses, and said dam and reservoir shall be used, first, for irrigation; second, for flood control and river regulation; and third, for other purposes. The Chief of Engineers and the Secretary of War are directed to report to the Congress the amount of the total cost of said Alamogordo Dam and Reservoir which is properly allocable to flood control. The appropriation and transfer of such amount from the general fund of the Treasury to the reclamation fund, for credit by reduction of the maximum obligation of the Carlsbad Irrigation District to repay the total cost thereof, is hereby authorized.

SEC. 8. In the case of any local flood-protection work in the Ohio River Basin authorized to be prosecuted by the provisions of section 4 of the Act entitled "An act authorizing the construction of certain public works on rivers and harbors for flood control, and for other purposes", approved June 28, 1938, the President is authorized to waive the requirements of section 3 of the Flood Control Act, approved June 22, 1936, with respect to local cooperation to the extent of not to exceed 50 per centum of the estimated cost of the lands, easements, and rights-of-way required for such work, if he finds, after investigation, that the city or town to be benefited by such work is, by reason of its financial condition, unable to comply with the requirements of such section 3 with respect to local cooperation.

Approved, August 11, 1939.

[CHAPTER 700]

#### JOINT RESOLUTION

Authorizing the delegation of certain authority within the Department of Agriculture.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of Agriculture may designate in writing the Director of Finance of the Department of Agriculture or, in his absence, the officer acting in his stead, to sign requisitions upon the Secretary of the Treasury for disbursing funds, and such requisitions shall be as valid as if they had been signed by the Secretary of Agriculture.

Approved, August 11, 1939.

Knife River and tributaries, N. Dak.  
 Goose River and tributaries, N. Dak.  
 South Platte River and tributaries, Colo., Wyo., and Nebr.  
 Neskowin Creek, Oreg.  
 Skokomish River, Mason Co., Wash.  
 Skykomish River, Wash.  
 Waimea, etc., Rivers, T. H.

Anahulu River, etc., T. H.

Coamo, etc., Rivers, P. R.

Wailoa Stream and tributaries, T. H.

Alamogordo Dam and Reservoir, Pecos River, N. Mex., purposes declared.

Report to Congress.

Transfer of funds authorized.

Ohio River Basin, local flood-protection work; local cooperation requirements.

52 Stat. 1217.

49 Stat. 1571.

33 U. S. C., Supp. IV, § 701c.

August 11, 1939

[H. J. Res. 188]

[Pub. Res., No. 51]

Department of Agriculture.  
 Delegation of certain authority within, authorized.

## [CHAPTER 701]

## JOINT RESOLUTION

August 11, 1939  
[H. J. Res. 375]  
[Pub. Res., No. 52]

Surplus agricultural  
commodities.  
Sale of, to foreign  
governments; condi-  
tions.

Prices.  
Price restriction.

Determination of  
specific cotton to be  
sold.

Settlement.  
Limitation on num-  
ber of bales.

To authorize the sale of surplus agricultural commodities, and for other purposes.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That notwithstanding any other provision of law, the Commodity Credit Corporation, with the approval of the President, is authorized to sell surplus agricultural commodities, acquired by such Corporation through its loan operations, to foreign governments on the condition that, except for rotation to prevent deterioration, such commodities shall be held in reserve by such governments for a period of not less than five years from the date of acquisition, and shall not be disposed of unless a war or war emergency results in a serious interruption of normal supplies of such commodities: *Provided*, That under this joint resolution no concession below the prevailing world market price for the unrestricted use of such commodities, as determined by the Secretary of Agriculture, shall be granted, in consideration of the obligation assumed by such governments to hold such commodities in reserve as required hereinbefore, in excess of a maximum amount equal to the average carrying charges, as estimated by the Secretary of Agriculture, that would be incurred if such commodities should be held for an additional eighteen months' period by the Commodity Credit Corporation. In determining specific cotton to be sold under this Act, the determination shall be made by sampling and selection at the place where the cotton is stored on the date of signing any sales agreement or contract under this Act, and no cotton shall be sold under any such sales agreement or contract which, after such date, is transported to any other place and there sampled and selected: *Provided further*, That in case of a sale, settlement must be made within sixty days after delivery and not more than five hundred thousand bales of cotton shall be sold upon the terms and conditions provided in this joint resolution.

Approved, August 11, 1939.

## [CHAPTER 716]

## AN ACT

To amend the Act of August 26, 1937.

August 11, 1939  
[S. 878]  
[Public, No. 397]

General Leasing  
Act, amendment.  
50 Stat. 842.  
30 U. S. C., Supp.  
IV, § 2221.

Extension of certain  
oil and gas prospecting  
permits.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That clause (d) of the Act of August 26, 1937, entitled "To provide for the extension of certain prospecting permits, and for other purposes", is amended to read as follows:

"(d) Under which at least one well shall have been drilled to a depth of not less than two thousand feet subsequent to August 21, 1935, and prior to January 1, 1939."

Approved, August 11, 1939.

## [CHAPTER 717]

## AN ACT

Authorizing construction of water conservation and utilization projects in the Great Plains and arid and semiarid areas of the United States.

August 11, 1939  
[S. 1802]  
[Public, No. 398]

Great Plains, etc.,  
water conservation.  
Construction of  
projects, acquisition of  
water rights, etc.,  
authorized.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Secretary of the Interior is hereby authorized to undertake the construction, including acquisition of water rights, rights-of-way, and other interests in land, of water conservation and utilization projects in the Great Plains and arid and semiarid areas of the United States.

SEC. 2. Any moneys expended on such construction from appropriations made under the authority of this Act shall be repaid to the United States by the water users in not to exceed forty annual installments. Any labor or materials supplied for such construction by the Work Projects Administration, the Civilian Conservation Corps, or any other Federal agency shall be utilized in such manner as the President may determine, and for such labor and materials the water users shall reimburse the United States in such amounts and on such terms as the President may fix for each project.

SEC. 3. No moneys may be expended on a project pursuant to the authority of this Act unless and until (1) the Secretary of the Interior has found, and has certified to the President, that the project has engineering feasibility and that the moneys to be expended on the project from appropriations made under the authority of this Act probably can be repaid by the water users within forty years; and (2) the President has approved said findings and has determined that labor and materials for the construction of the project should be made available to the Department of the Interior by the Work Projects Administration or a similar Federal agency, in the amount found by the Secretary of the Interior to make up the difference, if any, between the estimated cost of construction and the amount which can be expended from appropriations made under this Act and probably can be repaid by the water users: *Provided*, That the Secretary of the Interior may accept for the construction of the project such labor or materials as may be offered by any State or political subdivision thereof, State agency, or municipal corporation, and may reduce by the amount thereof the estimated cost of construction to be met by the expenditure of Federal moneys.

SEC. 4. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums of money as may be necessary to carry out the provisions of this Act, including investigations and surveys of projects proposed under the authority of this Act; and, from such sums appropriated or transferred, expenditures may be made for personal services in the District of Columbia and may be made for the same purposes and under the same conditions as included in the appropriation Acts for the departments, establishments, and other agencies to which sums may be made available by appropriation or transfer.

Approved, August 11, 1939.

#### [CHAPTER 718]

#### AN ACT

To amend an Act entitled "An Act to regulate the practice of the healing art to protect the public health in the District of Columbia", known as the "Healing Arts Practice Act, District of Columbia, 1928", approved February 27, 1929.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That the Act of Congress entitled "An Act to regulate the practice of the healing art to protect the public health in the District of Columbia", known as the "Healing Arts Practice Act, District of Columbia, 1928", approved February 27, 1929, be amended by striking from the first sentence of section 18 thereof the words "beginning on the second Monday in January and July of each year and at such other" and inserting in lieu thereof the words "at such".

Approved, August 11, 1939.

Reimbursement of expenditures by water users.

Labor and materials.

Provisions requisite. Engineering feasibility.

Repayment of expenditures.

Executive approval.

*Provided*. Local cooperation.

Appropriation authorized.

Personal services.

August 11, 1939

[S. 2779]

[Public, No. 399]

Healing Arts Practice Act, D. C., 1928, amendment.

45 Stat. 1331.

Dates for holding professional examinations.

## [CHAPTER 719]

## AN ACT

August 11, 1939  
[H. R. 1648]  
[Public, No. 400]

To provide for the refund or credit of the internal-revenue tax paid on spirits lost or rendered unmarketable by reason of the floods of 1936 and 1937 where such spirits were in the possession of the original taxpayer or rectifier for bottling or use in rectification under Government supervision as provided by law and regulations.

Internal revenue.  
Provisions for re-  
fund or credit of tax  
paid on certain spir-  
its.

Filing of claim.

Issuance of stamps  
where credit allowed.

Rules and regula-  
tions.

Tax exemptions.  
49 Stat. 636, 639.  
42 U. S. C., Supp.  
IV, ch. 7, titles VIII,  
IX.  
*Ante*, pp. 175, 1381,  
183, 1387.  
I. R. C., ch. 9, sub-  
chs. A, C.  
Services in remov-  
ing debris left by hur-  
ricane.  
Refunds.

Federal old-age ben-  
efits.  
49 Stat. 622.  
42 U. S. C., Supp.  
IV, ch. 7, title II.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That (a) the Commissioner of Internal Revenue is authorized and directed to make refund, or in lieu thereof, if he so elects, allow credit in the amount of the internal-revenue tax paid on spirits previously withdrawn and lost or rendered unmarketable or useless by reason of the floods of 1936 and 1937 while such spirits were in the possession of the person originally paying the said tax on such spirits, or while such spirits were in the possession of a rectifier for rectification or for bottling, or which have been used in the process of rectification, under Government supervision as provided by law and regulations. A claim for such tax shall be filed with the Commissioner of Internal Revenue within thirty days from the effective date of this Act in which proof shall be furnished to his satisfaction that (1) the internal-revenue tax on such spirits was fully paid; (2) that the same were in the possession of the claimant as above set forth at the time of such loss; (3) that such spirits were lost or rendered unmarketable or useless by reason of damage sustained as the result of the aforesaid flood conditions; (4) that such spirits so rendered unmarketable or useless have been destroyed; and (5) that claimant was not indemnified against such loss by any valid claim of insurance or otherwise.

(b) Where credit is allowed for the internal-revenue tax previously paid as aforesaid, the Commissioner of Internal Revenue is authorized and directed to provide for the issuance of stamps to cover the spirits subsequently withdrawn to the extent of the credit so allowed by the Commissioner of Internal Revenue.

(c) The Commissioner of Internal Revenue, with the approval of the Secretary, is authorized to make such rules and regulations as may be necessary to carry out the provisions of this Act.

SEC. 2. No tax shall be collected under title VIII or IX of the Social Security Act or under the Federal Insurance Contributions Act or the Federal Unemployment Tax Act, with respect to services rendered prior to January 1, 1940, in the employ of the owner or tenant of land, in salvaging timber on such land or clearing such land of brush and other debris left by a hurricane; and any such tax heretofore collected (including penalty and interest with respect thereto, if any), shall be refunded in accordance with the provisions of law applicable in the case of erroneous or illegal collection of the tax. No interest shall be allowed or paid on the amount of any such refund. No payment shall be made under title II of the Social Security Act with respect to such services rendered prior to January 1, 1940.

Approved, August 11, 1939.

# REORGANIZATION PLANS



# REORGANIZATION PLANS

## REORGANIZATION PLAN NO. I

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, April 25, 1939, pursuant to the provisions of the Reorganization Act of 1939, approved April 3, 1939

Transmitted April 25, 1939.  
Effective July 1, 1939; *ante*, p. 813.  
*Ante*, p. 561.

### PART 1.—EXECUTIVE OFFICE OF THE PRESIDENT

SECTION 1. *Bureau of the Budget*.—The Bureau of the Budget and all of its functions and personnel (including the Director and Assistant Director) are hereby transferred from the Treasury Department to the Executive Office of the President; and the functions of the Bureau of the Budget shall be administered by the Director thereof under the direction and supervision of the President.

Bureau of the Budget.

SECTION 2. *Central Statistical Board*.—The Central Statistical Board and all of its functions and personnel (including the Chairman and the members of the Board) are hereby transferred to the Bureau of the Budget in the Executive Office of the President. The Chairman of the Board shall perform such administrative duties as the Director of the Bureau of the Budget shall direct.

Central Statistical Board.

SECTION 3. *Central Statistical Committee Abolished and Functions Transferred*.—The Central Statistical Committee is hereby abolished, and its functions are transferred to the Director of the Bureau of the Budget to be administered by him under the direction and supervision of the President. The Director of the Bureau of the Budget shall promptly wind up any outstanding affairs of the Central Statistical Committee.

Central Statistical Committee abolished and functions transferred.

SECTION 4. *National Resources Planning Board*.—(a) The functions of the National Resources Committee, established by Executive Order No. 7065 of June 7, 1935, and its personnel (except the members of the Committee) and all of the functions of the Federal Employment Stabilization Office in the Department of Commerce and its personnel are hereby transferred to the Executive Office of the President. The functions transferred by this section are hereby consolidated, and they shall be administered under the direction and supervision of the President by the National Resources Planning Board (hereafter referred to as the Board), which shall be composed of five members to be appointed by the President. The President shall designate one of the members of the Board as Chairman and another as Vice Chairman. The Vice Chairman shall act as Chairman in the absence of the Chairman or in the event of a vacancy in that office. The members of the Board shall be compensated at the rate of \$50 per day for time spent in attending and traveling to and from meetings, or in otherwise exercising the functions and duties of the Board, plus the actual cost of transportation: *Provided*, That in no case shall a member be entitled to receive compensation for more than thirty days' service in two consecutive months.

National Resources Planning Board.

Consolidation of functions; composition of Board.

Pay and allowances.

*Proviso*. Compensation restriction.

Rules of proceedings, etc.

(b) The Board shall determine the rules of its own proceedings, and a majority of its members in office shall constitute a quorum for the transaction of business, but the Board may function notwithstanding vacancies.



Appointments; delegation of authority.

National Resources Committee abolished.

Federal Employment Stabilization Office abolished.

Transfer of records and property.

Transfer of funds.

Items included in determination of amount.

Proviso. Provisions applicable.

*Ante*, pp. 562, 563.

Excess personnel.

*Ante*, p. 563.

(c) The Board may appoint necessary officers and employees and may delegate to such officers authority to perform such duties and make such expenditures as may be necessary.

SEC. 5. *National Resources Committee Abolished.*—The National Resources Committee is hereby abolished, and its outstanding affairs shall be wound up by the National Resources Planning Board.

SEC. 6. *Federal Employment Stabilization Office Abolished.*—The Federal Employment Stabilization Office is hereby abolished, and the Secretary of Commerce shall promptly wind up its affairs.

SEC. 7. *Transfer of Records and Property.*—All records and property (including office equipment) of the several agencies transferred, or the functions of which are transferred, by this Part are hereby transferred to the Executive Office of the President for use in the administration of the agencies and functions transferred by this Part.

SEC. 8. *Transfer of Funds.*—So much of the unexpended balances of appropriations, allocations, or other funds available (including those available for the fiscal year ending June 30, 1940) for the use of any agency in the exercise of any functions transferred by this Part, or for the use of the head of any department or agency in the exercise of any functions so transferred, as the Director of the Bureau of the Budget shall determine, shall be transferred to the Executive Office of the President for use in connection with the exercise of functions transferred by this Part. In determining the amount to be transferred the Director of the Bureau of the Budget may include an amount to provide for the liquidation of obligations incurred against such appropriations, allocations, or other funds prior to the transfer: *Provided*, That the use of the unexpended balances of appropriations, allocations, or other funds transferred by this section shall be subject to the provisions of section 4 (d)(3) and section 9 of the Reorganization Act of 1939.

SECTION 9. *Personnel.*—Any personnel transferred by this Part found to be in excess of the personnel necessary for the efficient administration of the functions transferred by this Part shall be re-transferred under existing law to other positions in the Government service, or separated from the service subject to the provisions of section 10(a) of the Reorganization Act of 1939.

## PART 2.—FEDERAL SECURITY AGENCY

Federal Security Agency; offices, etc., transferred and consolidated.

Federal Security Administrator, appointment, salary, authority, etc.

SECTION 201. *Federal Security Agency.*—(a) The United States Employment Service in the Department of Labor and its functions and personnel are transferred from the Department of Labor; the Office of Education in the Department of the Interior and its functions and personnel (including the Commissioner of Education) are transferred from the Department of the Interior; the Public Health Service in the Department of the Treasury and its functions and personnel (including the Surgeon General of the Public Health Service) are transferred from the Department of the Treasury; the National Youth Administration within the Works Progress Administration and its functions and personnel (including its Administrator) are transferred from the Works Progress Administration; and these agencies and their functions, together with the Social Security Board and its functions, and the Civilian Conservation Corps and its functions, are hereby consolidated under one agency to be known as the Federal Security Agency, with a Federal Security Administrator at the head thereof. The Federal Security Administrator shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive a salary at the rate of \$12,000 per annum. He shall have general direc-

tion and supervision over the administration of the several agencies consolidated into the Federal Security Agency by this section and shall be responsible for the coordination of their functions and activities.

(b) The Federal Security Administrator shall appoint an Assistant Federal Security Administrator, who shall receive a salary at the rate of \$9,000 per annum, and he may also appoint such other personnel and make such expenditures as may be necessary.

(c) The Assistant Administrator shall act as Administrator during the absence or disability of the Administrator or in the event of a vacancy in that office and shall perform such other duties as the Administrator shall direct.

(d) The several agencies and functions consolidated by this section into the Federal Security Agency shall carry with them their personnel.

SECTION 202. *Social Security Board*.—The Social Security Board and its functions shall be administered as a part of the Federal Security Agency under the direction and supervision of the Federal Security Administrator. The Chairman of the Social Security Board shall perform such administrative duties as the Federal Security Administrator shall direct.

SECTION 203. *United States Employment Service*.—(a) The functions of the United States Employment Service shall be consolidated with the unemployment compensation functions of the Social Security Board and shall be administered in the Social Security Board in connection with such unemployment compensation functions under the direction and supervision of the Federal Security Administrator.

(b) The office of the Director of the United States Employment Service is hereby abolished, and all of the functions of such office are transferred to, and shall be exercised by, the Social Security Board.

(c) All functions of the Secretary of Labor relating to the administration of the United States Employment Service are hereby transferred to, and shall be exercised by, the Federal Security Administrator.

SECTION 204. *Office of Education*.—(a) The Office of Education and its functions shall be administered by the Commissioner of Education under the direction and supervision of the Federal Security Administrator.

(b) All functions of the Secretary of the Interior relating to the administration of the Office of Education are hereby transferred to, and shall be exercised by, the Federal Security Administrator.

SECTION 205. *Public Health Service*.—(a) The Public Health Service and its functions shall be administered by the Surgeon General of the Public Health Service under the direction and supervision of the Federal Security Administrator.

(b) All the functions of the Secretary of the Treasury relating to the administration of the Public Health Service, except those functions relating to the acceptance and investment of gifts as authorized by sections 23(b) and 137(e), title 42, U. S. Code, are hereby transferred to, and shall be exercised by, the Federal Security Administrator.

SECTION 206. *National Youth Administration*.—The National Youth Administration and its functions shall be administered by the National Youth Administrator under the direction and supervision of the Federal Security Administrator.

SECTION 207. *Civilian Conservation Corps*.—The Civilian Conservation Corps and its functions shall be administered by the Director of the Civilian Conservation Corps under the direction and supervision of the Federal Security Administrator.

Assistant Federal  
Security Administra-  
tor.

Personnel.

Social Security  
Board.

United States Em-  
ployment Service.

Director's office  
abolished.

Transfer of desig-  
nated functions of  
Secretary of Labor.

Office of Education.

Transfer of desig-  
nated functions of  
Secretary of the In-  
terior.

Public Health Serv-  
ice.

Transfer of desig-  
nated functions of  
Secretary of the  
Treasury.

Acceptance and in-  
vestment of gifts.  
46 Stat. 379; 50 Stat.  
561.  
42 U. S. C. § 23b;  
Supp. IV, § 137e.  
National Youth Ad-  
ministration.

Civilian Conserva-  
tion Corps.

Transfer of records  
and property.

SECTION 208. *Transfer of Records and Property.*—All records and property (including office equipment) of the several agencies which, with their functions, are consolidated by section 201 into the Federal Security Agency are hereby transferred to the jurisdiction and control of the Federal Security Agency for use in the administration of the agencies and functions consolidated by that section.

Transfer of funds.

SECTION 209. *Transfer of Funds.*—So much of the unexpended balances of appropriations, allocations, or other funds (including those available for the fiscal year ending June 30, 1940) available for the use of any agency in the exercise of any functions transferred by this Part, or for the use of the head of any department or agency in the exercise of any functions so transferred, as the Director of the Bureau of the Budget shall determine, shall be transferred for use in connection with the exercise of the functions transferred by this Part. In determining the amount to be transferred the Director of the Bureau of the Budget may include an amount to provide for the liquidation of obligations incurred against such appropriations, allocations, or other funds prior to the transfer: *Provided*, That the use of the unexpended balances of appropriations, allocations, or other funds transferred by this section shall be subject to the provisions of section 4 (d) (3) and section 9 of the Reorganization Act of 1939.

Liquidation of obligations incurred prior to transfer.

*Proviso.*  
Provisions applicable.

*Ante*, pp. 562, 563.

Administrative funds.

SECTION 210. *Administrative Funds.*—The Director of the Bureau of the Budget shall allocate to the Federal Security Agency, from appropriations, allocations, or other funds available (including those available for the fiscal year ending June 30, 1940) for the administrative expenses of the agencies and functions consolidated by this Part, such sums, and in such proportions, as he may find necessary for the administrative expenses of the Federal Security Agency.

Excess personnel.

SECTION 211. *Personnel.*—Any personnel transferred by this Part found to be in excess of the personnel necessary for the efficient administration of the functions transferred by this Part shall be re-transferred under existing law to other positions in the Government service, or separated from the service subject to the provisions of section 10 (a) of the Reorganization Act of 1939.

*Ante*, p. 563.

### PART 3.—FEDERAL WORKS AGENCY

Federal Works Agency, offices, etc., transferred and consolidated.

SECTION 301. *Federal Works Agency.*—(a) The Bureau of Public Roads in the Department of Agriculture and its functions and personnel (including the Chief thereof) are transferred from the Department of Agriculture; the Public Buildings Branch of the Procurement Division in the Treasury Department and its functions and personnel are transferred from the Treasury Department; the Branch of Buildings Management of the National Park Service in the Department of the Interior and its functions and personnel (except those relating to monuments and memorials), and the functions of the National Park Service in the District of Columbia in connection with the general assignment of space, the selection of sites for public buildings, and the determination of the priority in which the construction or enlargement of public buildings shall be undertaken, and the personnel engaged exclusively in the administration of such functions, and the United States Housing Authority in the Department of the Interior and its functions and personnel (including the Administrator) are transferred from the Department of the Interior; and all of these agencies and functions, together with the Federal Emergency Administration of Public Works and its functions, and all of the Works Progress Administration and its functions (except the National Youth Administration and its functions) are hereby consolidated into one agency to be known

as the Federal Works Agency, with a Federal Works Administrator at the head thereof. The Federal Works Administrator shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive a salary at the rate of \$12,000 per annum. He shall have general direction and supervision over the administration of the several agencies consolidated into the Federal Works Agency by this section and shall be responsible for the coordination of their functions.

Federal Works Administrator, appointment, salary, authority.

(b) The Federal Works Administrator shall appoint an Assistant Federal Works Administrator, who shall receive a salary at the rate of \$9,000 per annum, and he may also appoint such other personnel and make such expenditures as may be necessary.

Assistant Federal Works Administrator.

(c) The Assistant Administrator shall act as Administrator during the absence or disability of the Administrator, or in the event of a vacancy in that office, and shall perform such other duties as the Administrator shall direct.

Duties.

(d) The several agencies and functions consolidated by this section in the Federal Works Agency shall carry with them their personnel.

Personnel.

SECTION 302. *Public Roads Administration*.—(a) The Bureau of Public Roads and its functions shall be administered as the Public Roads Administration at the head of which shall be the Chief of the Bureau of Public Roads whose title shall be changed to Commissioner of Public Roads. Hereafter the Commissioner of Public Roads shall be appointed by the Federal Works Administrator.

Public Roads Administration.

Commissioner of Public Roads, appointment.

(b) All functions of the Secretary of Agriculture relating to the administration of the Bureau of Public Roads are hereby transferred to, and shall be exercised by, the Federal Works Administrator.

Transfer of designated functions of Secretary of Agriculture.

SECTION 303. *Public Buildings Administration*.—(a) The Public Buildings Branch of the Procurement Division and its functions, the Branch of Buildings Management of the National Park Service and its functions (except those relating to monuments and memorials) and the functions of the National Park Service in the District of Columbia in connection with the general assignment of space, the selection of sites for public buildings, and the determination of the priority in which the construction or enlargement of public buildings shall be undertaken, are hereby consolidated and shall be administered as the Public Buildings Administration, with a Commissioner of Public Buildings at the head thereof. The Commissioner of Public Buildings shall be appointed by the Federal Works Administrator and shall receive a salary at the rate of \$9,000 per annum. The Commissioner of Public Buildings shall act under the direction and supervision of the Federal Works Administrator.

Public Buildings Administration, designated agencies consolidated under.

Commissioner of Public Buildings.

(b) All functions of the Secretary of the Treasury and the Director of Procurement relating to the administration of the Public Buildings Branch of the Procurement Division and to the selection of location and sites for public buildings, and all functions of the Secretary of the Interior and the Director of the National Park Service relating to the administration of the functions of the Branch of Buildings Management and the functions of the National Park Service in the District of Columbia in connection with the general assignment of space, the selection of sites for public buildings, and the determination of the priority in which the construction or enlargement of public buildings shall be undertaken, are hereby transferred to, and shall be exercised by, the Federal Works Administrator.

Functions transferred to Federal Works Administrator.

SECTION 304. *United States Housing Authority*.—(a) The United States Housing Authority and its functions shall be administered by the United States Housing Administrator under the direction and supervision of the Federal Works Administrator.

United States Housing Authority.

Transfer of designated functions of Secretary of the Interior.

(b) All functions of the Secretary of the Interior relating to the administration of the United States Housing Authority are hereby transferred to, and shall be exercised by, the Federal Works Administrator.

Public Works Administration.

Commissioner of Public Works.

SECTION 305. *Public Works Administration.*—The Federal Emergency Administration of Public Works and its functions shall be administered as the Public Works Administration with a Commissioner of Public Works at the head thereof. The Commissioner of Public Works shall be appointed by the Federal Works Administrator and shall receive a salary at the rate of \$10,000 per annum. The Commissioner of Public Works shall act under the direction and supervision of the Federal Works Administrator.

Work Projects Administration.

Commissioner of Work Projects.

SECTION 306. *Work Projects Administration.*—The Works Progress Administration and its functions (except the National Youth Administration and its functions) shall be administered as the Work Projects Administration, with a Commissioner of Work Projects at the head thereof. The Commissioner shall be appointed by the Federal Works Administrator and shall receive a salary at the rate of \$10,000 per annum. The Commissioner shall act under the direction and supervision of the Federal Works Administrator.

Transfer of records and property.

SECTION 307. *Transfer of Records and Property.*—All records and property (including office equipment) of the several agencies which, with their functions, are consolidated by section 301 into the Federal Works Agency are hereby transferred to the jurisdiction and control of the Federal Works Agency for use in the administration of the agencies and functions consolidated by that section.

Transfer of funds.

SECTION 308. *Transfer of Funds.*—(a) So much of the unexpended balances of appropriations, allocations, or other funds available (including those available for the fiscal year ending June 30, 1940) for the use of any agency (except the United States Housing Authority) in the exercise of any functions transferred by this Part, or for the use of the head of any department or agency in the exercise of any functions so transferred, and so much of such balances available to the United States Housing Authority for administrative expenses, as the Director of the Bureau of the Budget shall determine, shall be transferred for use in connection with the exercise of the functions transferred by this Part. In determining the amount to be transferred the Director of the Bureau of the Budget may include an amount to provide for the liquidation of obligations incurred against such appropriations, allocations, or other funds prior to the transfer: *Provided*, That the use of the unexpended balances of appropriations, allocations, or other funds transferred by this section shall be subject to the provisions of section 4 (d) (3) and section 9 of the Reorganization Act of 1939.

Amount for incurred obligations.

*proviso.*  
Provisions applicable.

*Ante*, pp. 562, 563.

Funds available.

(b) All unexpended balances of appropriations, allocations, or other funds available (including those available for the fiscal year ending June 30, 1940) for the use of the United States Housing Authority, other than those transferred by subsection (a) of this section, are hereby transferred with the United States Housing Authority and shall remain available to it for the exercise of its functions.

Administrative funds.

SECTION 309. *Administrative Funds.*—The Director of the Bureau of the Budget shall allocate to the Federal Works Agency, from appropriations, allocations, or other funds available (including those available for the fiscal year ending June 30, 1940) for the administrative expenses of the agencies and functions consolidated by section 301, such sums, and in such proportions, as he may find necessary for the administrative expenses of the Federal Works Agency.

SECTION 310. *Personnel*.—Any of the personnel transferred by this Part found to be in excess of the personnel necessary for the efficient administration of the functions transferred by this Part shall be re-transferred under existing law to other positions in the Government service, or separated from the service subject to the provisions of section 10 (a) of the Reorganization Act of 1939.

Excess personnel.

*Ante*, p. 563.

#### PART 4.—LENDING AGENCIES

SECTION 401. (a) *Transfers to the Department of Agriculture*.—The Farm Credit Administration, the Federal Farm Mortgage Corporation, and the Commodity Credit Corporation, and their functions and activities, together with their respective personnel, records, and property (including office equipment), are hereby transferred to the Department of Agriculture and shall be administered in such Department under the general direction and supervision of the Secretary of Agriculture, who shall be responsible for the coordination of their functions and activities.

Transfers to Department of Agriculture.

(b) *Transfer of Administrative Funds*.—So much of the unexpended balances of appropriations, allocations, or other funds available (including those available for the fiscal year ending June 30, 1940) for the administrative expenses of any agency transferred by this section, as the Director of the Bureau of the Budget shall determine, shall be transferred to the Secretary of Agriculture for such use; and the Director of the Bureau of the Budget shall allocate to the Secretary of Agriculture from such funds, such sums, and in such proportions, as he may find necessary for the administrative expenses of the Secretary of Agriculture in connection with the agencies and functions transferred by this section. In determining the amount to be transferred, the Director of the Bureau of the Budget may include an amount to provide for the liquidation of obligations incurred against such appropriations, allocations, or other funds prior to the transfer. The use of the unexpended balances of appropriations, allocations, or other funds transferred by this subsection shall be subject to the provision of section 4 (d) (3) and section 9 of the Reorganization Act of 1939.

Transfer of administrative funds.

Amount for incurred obligations.

*Ante*, pp. 562, 563.

(c) *Transfer of other funds*.—All unexpended balances of appropriations, allocations, or other funds, other than those mentioned in subsection (b) of this section, available (including those available for the fiscal year ending June 30, 1940) for any agency transferred by subsection (a) of this section shall be transferred with such agency and shall remain available to it for the exercise of its functions.

Transfer of other funds.

(d) *Personnel*.—Any of the personnel transferred by this section to the Department of Agriculture which the Secretary of Agriculture shall find to be in excess of the personnel necessary for the administration of the functions transferred by this section shall be re-transferred under existing law to other positions in the Government, or separated from the service subject to the provisions of section 10 (a) of the Reorganization Act of 1939.

Excess personnel.

*Ante*, p. 563.

SECTION 402. (a) *Federal Loan Agency*.—There shall be at the seat of the Government a Federal Loan Agency, with a Federal Loan Administrator at the head thereof. The Federal Loan Administrator shall be appointed by the President by and with the advice and consent of the Senate, and shall receive a salary at the rate of \$12,000 per annum.

Federal Loan Agency.

Federal Loan Administrator.

(b) *Assistant Federal Loan Administrator*.—The Federal Loan Administrator shall appoint an Assistant Federal Loan Administrator, who shall receive a salary at the rate of \$9,000 per annum. The

Assistant Federal Loan Administrator.

Assistant Administrator shall act as Administrator during the absence or disability of the Administrator, or in the event of a vacancy in that office, and shall perform such other duties as the Administrator shall direct.

Powers and duties  
of Administrator.

(c) *Powers and Duties of Administrator.*—The Administrator shall supervise the administration, and shall be responsible for the coordination of the functions and activities, of the following agencies: Reconstruction Finance Corporation, Electric Home and Farm Authority, RFC Mortgage Company, Disaster Loan Corporation, Federal National Mortgage Association, Federal Home Loan Bank Board, Home Owners' Loan Corporation, Federal Savings and Loan Insurance Corporation, Federal Housing Administration, and Export-Import Bank of Washington. The Administrator may appoint such officers and employees and make such expenditures as may be necessary.

Administrative  
funds.

(d) *Administrative Funds.*—The Director of the Bureau of the Budget shall allocate to the Federal Loan Agency, from appropriations, allocations, or other funds available (including those available for the fiscal year ending June 30, 1940) for the administrative expenses of the agencies named in this section, such sums, and in such proportion, as he may find necessary for the administrative expenses of the Federal Loan Agency.

## REORGANIZATION PLAN NO. II

Prepared by the President and transmitted to the Senate and the House of Representatives in Congress assembled, May 9, 1939, pursuant to the provisions of the Reorganization Act of 1939, approved April 3, 1939.

Transmitted May 9, 1939.  
Effective July 1, 1939; *ante*, p. 813.  
*Ante*, p. 561.

## PART 1.—DEPARTMENTS

SECTION 1. *State Department*.—Transfers and consolidations relating to the Department of State are hereby effected as follows:

State Department, transfers, etc., relating to.

(a) *Foreign Commerce Service and Foreign Agricultural Service*.—The Foreign Commerce Service of the United States and its functions in the Bureau of Foreign and Domestic Commerce of the Department of Commerce and the Foreign Agricultural Service of the United States and its functions as established by the Act of June 5, 1930 (46 Stat. 497), in the Department of Agriculture are hereby transferred to the Department of State and shall be consolidated with and administered as a part of the Foreign Service of the United States under the direction and supervision of the Secretary of State.

Foreign Commerce Service and Foreign Agricultural Service.

46 Stat. 497.  
7 U. S. C. ch. 23.

(b) *Functions of the Secretary of Commerce and the Secretary of Agriculture Transferred to the Secretary of State; Exceptions*.—The functions of the Secretary of Commerce with respect to the Foreign Commerce Service and the functions of the Secretary of Agriculture with respect to the Foreign Agricultural Service (other than functions with respect to such services pertaining to activities in the United States and to the compilation, publication, and dissemination of information) are hereby transferred to, and shall be exercised by, the Secretary of State, except and provided that under regulations prescribed by the President—

Functions transferred to Secretary of State; exceptions.

(1) The Secretary of State shall cause to be made such investigations relating to commercial and industrial conditions and activities in foreign countries and such other specific investigations relating to foreign commerce as the Secretary of Commerce shall determine to be in the public interest, and shall report to the Secretary of Commerce the results of, and the information secured through, such investigations. He shall also cause to be made such investigations relating to world competition and demand for agricultural products, to production, marketing, and disposition of such products in foreign countries, and to farm management and other phases of agricultural industry in foreign countries, and shall conduct abroad such activities (including the demonstration of standards for cotton, wheat, and other American agricultural products), as the Secretary of Agriculture shall determine to be in the public interest, and shall report to the Secretary of Agriculture the results of, and the information secured through, such investigations and activities.

Investigation of commercial and industrial conditions, etc.

(2) The Secretary of Commerce may from time to time when he deems it in the public interest designate any officer in his Department to render temporary service under the provisions of, and subject to the conditions named in, section 5 of the Act of March 3, 1927, (44 Stat. 1396).

Temporary details.

44 Stat. 1396.  
15 U. S. C. §197d.



46 Stat. 498.  
7 U. S. C. § 542.

Liaison officers.

Representation on  
Board of Foreign Service  
Personnel for Foreign  
Service.

Status of Foreign  
Service officers.

*Ante*, p. 583.

China Trade Act  
Registrar.

42 Stat. 849.  
15 U. S. C. ch. 4.  
Foreign Service  
Buildings Commission.

Treasury Department.

Bureau of Lighthouses.

Director General of  
Railroads: Office abolished  
and functions transferred.

41 Stat. 461.  
49 U. S. C. § 74.

War Finance Corporation  
abolished.

45 Stat. 1442.  
15 U. S. C. § 374.

(3) The Secretary of Agriculture may from time to time when he deems it in the public interest designate any officer in his Department to render temporary service under the provisions of, and subject to the conditions named in, section 2 of the Act of June 5, 1930, (46 Stat. 498).

(4) The Secretary of Commerce and the Secretary of Agriculture may each designate an officer in his Department, acceptable to the Secretary of State, to serve in the Department of State as liaison officer in connection with the administration of the foreign service of the United States.

(5) One officer in the Department of Commerce designated by the Secretary of Commerce and acceptable to the Secretary of State and one officer in the Department of Agriculture designated by the Secretary of Agriculture and acceptable to the Secretary of State shall be added to the membership of the Board of Foreign Service Personnel for the Foreign Service.

(c) *Status of Foreign Service Officers.*—Foreign Commerce Service officers and Foreign Agricultural Service officers who by reason of transfer to the Foreign Service of the United States and by appointment according to law acquire status of Foreign Service officers therein shall not be included in the total number of officers in such Service for the purpose of determining the percentage limitation established by section 10 of the Act of February 23, 1931 (46 Stat. 1207), as amended.

(d) *China Trade Act Registrar.*—Such officer of the Foreign Service as the Secretary of State shall make available for that purpose may be authorized by the Secretary of Commerce to perform the duties of China Trade Act Registrar provided for in the Act of September 19, 1922 (42 Stat. 849), under the direction of the Secretary of Commerce.

(e) *Foreign Service Buildings Commission.*—The Foreign Service Buildings Commission and its functions are hereby transferred to the Department of State. The Commission shall exercise advisory functions, but all other functions (including administrative functions) shall be exercised under the direction and supervision of the Secretary of State by such division, bureau, or office in the Department of State as the Secretary shall determine.

SEC. 2. *Treasury Department.*—Transfers, consolidations, and abolitions relating to the Department of the Treasury are hereby effected as follows:

(a) *Bureau of Lighthouses.*—The Bureau of Lighthouses in the Department of Commerce and its functions are hereby transferred to and shall be consolidated with and administered as a part of the Coast Guard in the Department of the Treasury.

(b) *Director General of Railroads: Office Abolished and Functions Transferred.*—The office of Director General of Railroads is hereby abolished. The functions and duties of the Director General of Railroads are hereby transferred to the Secretary of the Treasury to be exercised and performed by him personally or through such officer or officers of the Department of the Treasury as he may authorize. The Secretary of the Treasury is hereby designated as the agent provided for in section 206 of the Transportation Act, 1920 (41 Stat. 461).

(c) *War Finance Corporation Abolished.*—All of the functions, property, and obligations of the War Finance Corporation not heretofore transferred by statute to the Secretary of the Treasury are hereby transferred to the Department of the Treasury. The War Finance Corporation is hereby abolished and the Secretary of the Treasury shall complete the winding up of its affairs and shall dispose of its assets in accordance with the Act of March 1, 1929 (45 Stat. 1442), not later than December 31, 1939.

SEC. 3. *Department of Justice.*—Transfers, consolidations, and abolitions relating to the Department of Justice are hereby effected as follows:

(a) *Federal Prison Industries, Inc.*—The Federal Prison Industries, Inc. (together with its Board of Directors) and its functions are hereby transferred to the Department of Justice and shall be administered under the general direction and supervision of the Attorney General.

Department of Justice, transfers, etc., relating to.

Federal Prison Industries, Inc.

(b) *National Training School for Boys.*—The National Training School for Boys and its functions (including the functions of its Board of Trustees) are hereby transferred to the Department of Justice and shall be administered by the Director of the Bureau of Prisons, under the direction and supervision of the Attorney General.

National Training School for Boys.

(c) *Board of Trustees of the National Training School for Boys Abolished.*—The Board of Trustees of the National Training School for Boys (including the consulting trustees) is hereby abolished.

Board of Trustees of, abolished.

SEC. 4. *Department of the Interior.*—Transfers, consolidations, and abolitions relating to the Department of the Interior are hereby effected as follows:

Department of the Interior, transfers, etc., relating to.

(a) *Functions of the National Bituminous Coal Commission Transferred.*—The functions of the National Bituminous Coal Commission (including the functions of the members of the Commission) are hereby transferred to the Secretary of the Interior to be administered under his direction and supervision by such division, bureau, or office in the Department of the Interior as the Secretary shall determine.

National Bituminous Coal Commission, functions transferred.

(b) *National Bituminous Coal Commission Abolished.*—The National Bituminous Coal Commission and the offices of the members thereof are hereby abolished and the outstanding affairs of the Commission shall be wound up by the Secretary of the Interior.

Commission abolished.

(c) *Office of Consumers' Counsel Abolished and Functions Transferred.*—The office of Consumers' Counsel of the National Bituminous Coal Commission is hereby abolished and its functions are transferred to, and shall be administered in, the Office of the Solicitor of the Department of the Interior under the direction and supervision of the Secretary of the Interior.

Office of Consumers' Counsel abolished and functions transferred.

(d) *Bureau of Insular Affairs.*—The Bureau of Insular Affairs of the War Department and its functions are hereby transferred to the Department of the Interior and shall be consolidated with the Division of Territories and Island Possessions in the Department of the Interior and administered in such Division under the direction and supervision of the Secretary of the Interior. The office of the Chief of the Bureau and offices subordinate thereto provided for in section 14 of the Act of June 4, 1920 (41 Stat. 769), are hereby abolished and all of the functions of such offices are transferred to, and shall be exercised by, the Director of the Division of Territories and Island Possessions.

Bureau of Insular Affairs.

Office of Chief of Bureau, etc., abolished.  
41 Stat. 769.  
48 U. S. C. §§ 2, 3.

(e) *Bureau of Fisheries.*—The Bureau of Fisheries in the Department of Commerce and its functions are hereby transferred to the Department of the Interior and shall be administered in that Department under the direction and supervision of the Secretary of the Interior. The functions of the Secretary of Commerce relating to the protection of fur seals and other fur-bearing animals, to the supervision of the Pribilof Islands and the care of the natives thereof, and to the Whaling Treaty Act, are hereby transferred to, and shall be exercised by, the Secretary of the Interior.

Bureau of Fisheries.

Protection of fur seals, etc.

(f) *Bureau of Biological Survey.*—The Bureau of Biological Survey in the Department of Agriculture and its functions are hereby transferred to the Department of the Interior and shall be administered in that Department under the direction and supervision of the Secretary

Bureau of Biological Survey.

Conservation of  
wildlife, game, and  
migratory birds.

48 Stat. 780; 49 Stat.  
1105.  
18 U. S. C. §§ 253,  
254; Supp. IV, §§ 253,  
254.

Officers of Biologi-  
cal Survey may ad-  
minister oaths.  
43 Stat. 803.  
5 U. S. C. §§ 521, 522.

Migratory Bird  
Conservation Com-  
mission.

Mount Rushmore  
National Memorial  
Commission.

52 Stat. 694.

Department of Agri-  
culture: Rural Elec-  
trification Adminis-  
tration transferred.

Department of Com-  
merce: Transfer of In-  
land Waterways Cor-  
poration.

of the Interior. The functions of the Secretary of Agriculture relating to the conservation of wild life, game, and migratory birds are hereby transferred to, and shall be exercised by, the Secretary of the Interior. The provisions of the Act of May 18, 1934 (c. 299, 48 Stat. 780), as amended by the Act of February 8, 1936 (c. 40, 49 Stat. 1105), insofar as they relate to officers or employees of the Department of Agriculture designated by the Secretary of Agriculture to enforce any act of Congress for the protection, preservation or restoration of game and other wild life and animals shall apply to officers and employees of the Department of the Interior designated by the Secretary of the Interior to exercise and discharge such duties.

(g) *Officers of Biological Survey May Administer Oaths.*—The provisions of the Act of January 31, 1925 (c. 124, 43 Stat. 803), shall be applicable to such officers, agents, or employees of the Department of the Interior performing functions of the Bureau of Biological Survey as are designated by the Secretary of the Interior for the purposes named in the Act.

(h) *Migratory Bird Conservation Commission.*—The Secretary of the Interior shall be chairman of the Migratory Bird Conservation Commission, and the Secretary of Agriculture shall be a member thereof.

(i) *Mount Rushmore National Memorial Commission.*—The Mount Rushmore National Memorial Commission and its functions are hereby transferred to the National Park Service in the Department of the Interior. The functions vested in the Commission by section 3 and 4 (a) of the Act of June 15, 1938, (c. 402, 52 Stat. 694) shall continue to be exercised by the Commission. All other functions of the Mount Rushmore National Memorial Commission shall be administered by the National Park Service under the direction and supervision of the Secretary of the Interior.

SEC. 5. *Department of Agriculture: Rural Electrification Administration Transferred.*—The Rural Electrification Administration and its functions and activities are hereby transferred to the Department of Agriculture and shall be administered in that Department by the Administrator of the Rural Electrification Administration under the general direction and supervision of the Secretary of Agriculture.

SEC. 6. *Department of Commerce: Transfer of Inland Waterways Corporation.*—The Inland Waterways Corporation and all of its functions and obligations are hereby transferred to the Department of Commerce and shall be administered in that Department under the supervision and direction of the Secretary of Commerce. The capital stock of the Corporation shall continue to be held for the United States by the Secretary of the Treasury, but all other functions, rights, privileges, and powers and all duties and liabilities of the Secretary of War relating to the Inland Waterways Corporation are hereby transferred to, and shall be exercised, performed, and discharged by, the Secretary of Commerce. The Secretary of Commerce shall be substituted for the Secretary of War as, and shall be deemed to be, the incorporator of the Inland Waterways Corporation.

## PART 2.—INDEPENDENT AGENCIES

Federal Security  
Agency, transfers, etc.,  
relating to.

Radio Service and  
U. S. Film Service  
transferred.

SECTION 201. *Federal Security Agency.*—Transfers and consolidations relating to the Federal Security Agency are hereby effected as follows:

(a) *Radio Service and United States Film Service Transferred.*—The functions of the Radio Division and the United States Film Service of the National Emergency Council are hereby transferred to the

Federal Security Agency and shall be administered in the Office of Education under the direction and supervision of the Federal Security Administrator.

(b) *American Printing House for the Blind.*—The functions of the Secretary of the Treasury with respect to the administration of the appropriations for the American Printing House for the Blind (except the function relating to the perpetual trust fund) are hereby transferred to the Federal Security Agency and shall be administered under the direction and supervision of the Federal Security Administrator. The annual report and vouchers required to be furnished to the Secretary of the Treasury by the trustees of the American Printing House for the Blind shall be furnished to the Federal Security Administrator.

American Printing House for the Blind.

SEC. 202. *National Archives.*—Transfers, consolidations, and abolitions relating to the National Archives are hereby effected as follows:

National Archives, transfers, etc., relating to.

(a) *Functions of Codification Board Transferred.*—The functions of the Codification Board, established by the Act of June 19, 1937 (50 Stat. 304), are hereby transferred to the National Archives and shall be consolidated in that agency with the functions of the Division of the Federal Register and shall be administered by such Division under the direction and supervision of the Archivist.

Codification Board, functions transferred. 50 Stat. 304. 44 U. S. C., Supp. IV, § 311.

(b) *Codification Board Abolished.*—The Codification Board is hereby abolished and its outstanding affairs shall be wound up by the Archivist through the Division of the Federal Register in the National Archives.

Board abolished.

### PART 3.—EXECUTIVE OFFICE OF THE PRESIDENT

SECTION 301. Transfers and abolitions relating to the Executive Office of the President are hereby effected as follows:

Transfers, abolitions, etc.

(a) *Functions of National Emergency Council Transferred.*—All functions of the National Emergency Council other than those relating to Radio Service and Film Service (transferred by section 201(a) of this plan to the Federal Security Agency) are hereby transferred to the Executive Office of the President and shall be administered under the direction and supervision of the President.

National Emergency Council, functions transferred.

(b) *National Emergency Council Abolished.*—The National Emergency Council is hereby abolished and its outstanding affairs shall be wound up under the direction and supervision of the President.

Council abolished.

### PART 4.—GENERAL PROVISIONS

SEC. 401. *Transfer of Functions of Heads of Departments.*—Except as otherwise provided in this Plan, the functions of the head of any Department relating to the administration of any agency or function transferred from his Department by this Plan, are hereby transferred to, and shall be exercised by, the head of the department or agency to which such transferred agency or function is transferred by this Plan.

Transfer of functions of heads of Departments.

SEC. 402. *Transfer of Records, Property, and Personnel.*—All records and property (including office equipment) of the several agencies, and all records and property used primarily in the administration of any functions, transferred by this Plan and, except as otherwise provided, all the personnel used in the administration of such agencies and functions (including officers whose chief duties relate to such administration) are hereby transferred to the respective departments or agencies concerned, for use in the administration of the agencies and functions transferred by this Plan: *Provided*, That any personnel transferred to any department or agency by this section found by the head of such department or agency to be in excess of the personnel necessary for

Transfer of records, property, and personnel.

Proviso. Excess personnel.

the administration of the functions transferred to his department or agency shall be retransferred under existing law to other positions in the Government service, or separated from the service subject to the provisions of section 10(a) of the Reorganization Act of 1939.

*Ante*, p. 563.

Transfer of funds.

SEC. 403. *Transfer of Funds*.—So much of the unexpended balances of appropriations, allocations, or other funds available for the use of any agency in the exercise of any function transferred by this Plan, or for the use of the head of any department or agency in the exercise of any function so transferred, as the Director of the Bureau of the Budget with the approval of the President shall determine, shall be transferred to the department or agency concerned for use in connection with the exercise of the function so transferred. In determining the amount to be transferred the Director of the Bureau of the Budget may include an amount to provide for the liquidation of obligations incurred against such appropriations, allocations, or other funds prior to the transfer: *Provided*, That the use of the unexpended balances of appropriations, allocations, or other funds transferred by this section shall be subject to the provisions of section 4(d)(3) and section 9 of the Reorganization Act of 1939.

*Proviso.*  
Provisions applicable.

*Ante*, pp. 562, 563.

Transfer of functions relating to personnel.

*Ante*, p. 561.

SEC. 404. *Transfer of Functions Relating to Personnel*.—Except as prohibited by section 3(b) of the Reorganization Act of 1939, all functions relating to the appointment, fixing of compensation, transfer, promotion, demotion, suspension, or dismissal of persons to or from offices and positions in any department vested by law in any officer of such department other than the head thereof are hereby transferred to the head of such department and shall be administered under his direction and supervision by such division, bureau, office, or persons as he shall determine.